



LOCAL GOVERNMENT BULLETIN, 23RD FEBRUARY, 2023

Mpohor District Assembly, Bye-Laws, 2023

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**MPOHOR DISTRICT ASSEMBLY (PAYMENT OF RATES, FEES, FINES,
LICENCES, RENTS, LEVIES) BYE-LAW, 2023**

In exercise of the power conferred on the Mpohor District Assembly by section 181 of the Local Governance Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Payment of Rates, Fees, Licences, Rents and Levies) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Payment

2. All rates, licences, fees, fines, rents, levies and charges payable to the Assembly on periodic basis for periods not less than one month shall be paid to the accredited official at the head office and sub-offices or to accredited individual or corporate revenue collectors.

Special Levies

3. A Community, Town Council, Unit Committee, Institution or Agency may recommend to the Assembly to levy special rate for such purposes as may be approved by the Assembly.

Payments by Public Agencies

4. (a) Every public agency is liable to pay rates as may be determined by the Assembly through a Resolution in respect of immovable property owned by it unless exempted from assessment and rating by law.
(b) Every public agency is liable to Business Operating Permit (BOP) as may be determined by the Assembly through a Resolution in respect of its operations unless exempted from fees payment by law or as may be directed by the Minister responsible.

Employer's to deduct rates from employee's remuneration

5. (a) Every employer shall deduct a general or special rate imposed by the Assembly from the remuneration of each employee employed within the administrative area of the Mpohor District Assembly and it shall be the duty of the employee to notify or remind the employer in writing when the deductions become due.
(b) The deductions shall be made from the first installment of remuneration due bc paid to the employee after the publication of the notice of the rate.
(c) Any sums deducted from the remuneration of an employee shall be held by the employer on behalf of the Mpohor District Assembly and shall be paid by the employer to the Mpohor District Assembly within thirty days after the deduction is made.

Exemptions from and remission of rates

6. (a) Notwithstanding the provisions of the foregoing paragraph, the following categories of persons shall be exempt from the payment of basic rate:-
- (i) Any persons who are for the time-being in attendance at an educational institution who do not receive any remuneration or income during that period other than an allowance, loan or other grant provided for the purposes of such attendance; or
 - (ii) Any person who is seventy years and above.
- (b) The Assembly may reduce or remit payment of any rate on account of the poverty or insolvency of any person liable for the payment of such general or special rate.
- (c) The following tenements are exempted from assessment and rating of property rates:-
- (i) All premises appropriated exclusively for the purpose of public worship and registered with the Assembly;
 - (ii) Cemeteries and burial grounds registered by the Assembly;
 - (iii) Charitable or public educational institutions registered with the Assembly;
 - (iv) Premises used as public hospitals and clinics; and
 - (v) Premises applied solely for official military or police purposes that are not commercial in nature;
 - (vi) Premises owned by Diplomatic Missions as may be approved by the Minister for Foreign Affairs.

Duty of rateable persons

7. (a) It shall be the duty of every person liable for the payment of any rate to pay the amount hereof to a rate collector or other person or persons duly appointed or authorized by the Assembly to collect and receive such rate at the time and place specified by the Assembly when publication of a notice in respect of such rate is made.
- (b) Notwithstanding Clause 7 (a) above, any rate collector or any person authorized by the Assembly may at reasonable times enter any premises for the performance of his duties.

Property rate

8. (a) Without prejudice to the provision in paragraph 2 of this Bye-law, a property rate of an amount fixed by a resolution of the Assembly shall be payable by owners of property

situated within the area of authority of the Mpohor District Assembly on the assessed value of each building.

(b) Where properties are not valued, the Mpohor District Assembly through a resolution passed by General Assembly shall fix a rate payable by the owners of such properties.

Proceedings

(c) If the amount of the rate due in respect of any premises is not paid within the period of ten (10) days upon becoming due, the Assembly shall cause to be affixed on a conspicuous part of the premise a notice to the effect that if the amount of the rate payable in respect of the premises is not paid within forty-two (42) days from the date of the notice, proceedings shall be taken for the sale of the premises for the purposes of defraying the amount.

Forum

(d) Such proceedings to enforce the payment of a rate payable may be taken by the Assembly before any Court and if the Court is satisfied that the amount of the rate due in respect of the premises has not been paid and the defaulter is unwilling or unable to pay, it shall order the premises to be sold to defray the amount of the rate due.

Auction Sale

(e) Any premises ordered to be sold to defray the amount of the rate due shall be offered for sale under the direction of the person authorised by the Court.

Receipt

9. Any person, organisation, business or commercial entity concerned, making such payment shall be required to demand for and receive an official receipt covering any sum of money so paid.
10. The holder of any receipt for a rate paid shall produce same at any time on demand for inspection by a rate collector or any other authorised agent or officer of the Assembly.

Time for making payment

11. Payment covering the full year becomes due on the first working day of each calendar year and shall be made in advance on or before the 31st day of March in any particular year in which the rate, license, fee, rent or levy shall be payable.
12. Besides the annual, monthly, or other periodic payments, any rate levied and payable to the Assembly shall be paid to the accredited officials or agents of the Assembly on the respective due dates.

Obstruction of officer

13. Any person who assaults, insults, molests or wilfully obstructs any rate collector or other person appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of this Bye-law commits an offence

Offences

14. In any such case of obstruction of a rate collector or agent from the performance of their lawful duties, the Assembly shall impose penalty to be paid by the culprit in accordance with a charge fixed for the purpose in the fee-fixing resolution.
15. (a) A person commits an offence when he/she:
- (i) Without lawful excuse, the proof of which shall be on him, refuses or neglects to pay any basic, special or general rate payable by him under this Bye-law on the date due;
 - (ii) Makes a false statement with regard to his liability to pay rates;
 - (iii) Without lawful excuse, proof of which shall lie on him/her, incites another person to refuse to pay rate payable by such other person under this Bye-law or who assists another person to make false statement(s) with regard to his liability to pay rates;
 - (iv) Without authority from the Assembly or by a body under the Assembly authorised by the Assembly to so act, collects or attempts to collect any rate;
 - (v) Impersonates such person authorised by the Assembly or by a body under the Assembly authorised by the Assembly to so act, and collects or attempts to collect any rate.

Offence and penalty

16. Any person, organisation, business or commercial concern that fails to pay any rate, license, fee, fines, rent or other levy by the due date, whether or not a formal demand has been made, commits an offence and shall be liable upon conviction to a fine not exceeding 200 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil action

17. The Mpohor District Assembly shall apply other offences and penalties as stated in the Local Governance Act, 2023, Act 936 where applicable to offences not stated in this Bye-law.

18. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

19. In addition to any sanctions imposed by the court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expense incurred in the prosecution of the matter in Court.

Interpretation

20. In this Bye-law, unless, where the context otherwise requires:

“general rate” means a rate made and levied over the area of authority of the Assembly for the general purpose of the whole District;

“special rate” means a rate made and levied over a specified area in the District for the purpose of a specified project approved by the Assembly;

“rate” unless the context otherwise so indicates, rate includes any charge, license, permit, toll, tariff or levy imposed by the Assembly for any particular year.

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF RATES AND RATE COLLECTORS) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Rates and Rate Collectors) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Authority to levy rate

2. (a) No person or group of persons other than the Assembly shall have power to make or levy any general rate within the area of the Assembly.
(b) The Assembly shall also have the power to levy a special rate as in its opinion may be deemed necessary so to do.
(c) A general or special rate payable to the Assembly shall be of such amount as may be fixed by a resolution of the Assembly.

Delegation of authority

3. (a) The Assembly may, in writing, authorize any suitable person in respect of any specified area within its authority to collect rates.
(b) Without prejudice to Clause 3(a) hereof, the Assembly may by notice in writing appoint any group of persons specified in the notice to be its agent for the collection of any rate so specified subject to such conditions as the Assembly shall endorse on the notice.
(c) No person other than an authorized rate collector or agent of the Assembly shall collect rates levied by the assembly.
(d) It shall be the duty of every accredited rate collector or agent –
 - (i) To furnish the Assembly in writing with a nominal roll of the rateable persons in the area in respect of which they have been authorized;
 - (ii) To collect and receive from such persons liable for the payment of rates in the area, the rates payable by each such person;
 - (iii) To report to the Assembly the name of any person who has failed to pay the amount due from him.

Rateable persons

4. A general rate or any special rate imposed shall be payable by all persons of or above the age of eighteen years who reside within the area of authority of the Assembly, or by owners of movable or immovable property in the area, or by such person(s) as the Assembly may specify.

Exemptions from and remission of rates

5. (a) Notwithstanding the provisions of the foregoing paragraph, the following categories of persons shall be exempted from the payment of basic rate:–

- (i) Any persons who are for the time-being in attendance at an educational institution who do not receive any remuneration or income during that period other than an allowance, loan or other grant provided for the purposes of such attendance; or
 - (ii) Any persons who are seventy years and above.
- (b) The Assembly may reduce or remit payment of any rate on account of the poverty or insolvency of any person liable for the payment of such general or special rate.
- (c) The following tenements are exempted from assessment and rating of property rates:–
- (i) All premises appropriated exclusively for the purpose of public worship and registered with the Assembly;
 - (ii) Cemeteries and burial grounds registered by the Assembly;
 - (iii) Charitable or public educational institutions registered with the Assembly;
 - (iv) Premises used as public hospitals and clinics; and
 - (v) Premises applied solely for official military or police purposes that are not commercial in nature;
 - (vi) Premises owned by diplomatic missions as may be approved by the Minister for Foreign Affairs.

Duty of rateable persons

6. (a) It shall be the duty of every person liable for the payment of any rate to pay the amount hereof to a rate collector or other person or persons duly appointed or authorized by the Assembly to collect and receive such rate at the time and place specified by the Assembly when publication of a notice in respect of such rate is made.
- (b) Notwithstanding Clause 6 (a) above, any rate collector or any person authorized by the Assembly may at all reasonable times enter any premises for the performance of his duties.

Property rate

7. (a) Without prejudice to the provision in paragraph 2 of this Bye-law, a property rate of an amount fixed by a resolution of the Assembly shall be payable by owners of buildings (and immovable properties) situated within the area of authority of the Assembly on the assessed value of each building.

Proceedings

- (b) If the amount of the rate due in respect of any premises (and immovable properties) is not paid within the period of ten (10) days upon becoming due, the Assembly shall cause to be affixed on a conspicuous part of the premises (or immovable properties) a notice to the effect that if the amount of the rate payable in respect of the premises (and immovable properties) is not paid within forty-two (42) days from the date of the notice, proceedings will be taken for the sale of the premises (and immovable properties) for the purposes of defraying the amount.

Forum

- (c) Such proceedings to enforce the payment of a rate payable may be taken by the Assembly before any court and if the court is satisfied that the amount of the rate due in respect of the premises (and immovable properties) has not been paid and the defaulter is

unwilling or unable to pay, it shall order the premises to be sold to defray the amount of the rate due.

Auction sale

(d) Any premises ordered to be sold to defray the amount of the rate due shall be offered for sale under the direction of the person authorized by the Court.

Employer to deduct rate

8. (a) Every employer, after the publication of notice of payment of rates has been made by the Assembly, shall deduct any such general or special rate imposed.
- (b) In this paragraph, “employee” includes a commission agent and any other person who habitually retails the goods of another person in consideration for a commission or allowance or who habitually canvasses for or solicits customers for any other person in consideration for a commission or allowance.
- (c) All such sums deducted under this provision shall be held by the employer on behalf of the Assembly and shall be paid to the Assembly within thirty (30) days after the deduction is made.
- (d) An employer who, after deducting from the remuneration of an employee any general or special rate, fails to pay the amount to the Assembly within the time stipulated in Clause 8(c) above commits an offence.
- (e) The employer shall be indemnified in respect of any such acts done by him in pursuance of the foregoing provisions.

Receipts for payments

9. (a) On payment of any rate levied by the Assembly, a receipt specifying the period in respect of which it is paid shall be issued to the payer and such receipt shall be prima facie evidence of the payment of rates for the specified period.
- (b) The holder of any receipt for a rate paid shall produce same at any time on demand for inspection by a rate collector or any other authorized servant, agent or officer of the Assembly.

Obstruction of Officer

10. (a) Any person who assaults, insult, molests or willfully obstructs any rate collector or other person appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of this Bye-law commits an offence.
- (b) In any such case of obstruction of a rate collector or agent from the performance of their lawful duties, the Assembly, may impose a penalty to be paid by the culprit in accordance with charges fixed for the purpose in the Fee-Fixing Resolution.

Offences

11. (a) A person commits an offence when-
- (i) Without lawful excuse, the proof of which shall be on him, refuses or neglects to pay any basic, special or general rate payable by him under this Bye-law on the date due;
- (ii) Makes a false statement with regard to his liability to pay rates;

- (iii) Without lawful excuse, proof of which shall lie on him/her, incites another person to refuse to pay rate payable by such other person under this Bye-law or who assists another person to make false statement(s) with regard to his liability to pay rates;
- (iv) Without authority from the Assembly or by a body under the Assembly authorized by the Assembly to so act, collects or attempts to collect any rate; by the Assembly from the remuneration of any employee employed by him or her who resides in the area of authority of the Assembly.

Offences by rate collector

- (iv) Impersonates such person authorized by the Assembly or by a body under the Assembly authorized by the Assembly to so act, and collects or attempts to collect any rate.
- (b) A rate collector or agent commits an offence who:-
 - (i) Fails to deposit with the Assembly any sum of money collected as rates by him;
 - (ii) Knowingly demands from any person an amount in excess of the duly assessed rate;
 - (iii) Renders false returns, whether orally or in writing; or
 - (iv) Willfully fails to carry out any duty imposed upon him as a rate collector or an agent under this Bye-law.
- (c) Any penalty imposed on an offender for an offence under this paragraph shall be without prejudice to any other action the Assembly may decide to take in the case of such offender.

Offence and penalty

12. Any person who contravenes any provision of this Bye-law for which a penalty has not been provided commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Compensation

13. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

14. In this Bye-law, unless where the context otherwise requires –
“general rate” means a rate made and levied over the area of authority of the Assembly for the general purpose of the whole district;
“special rate” means a rate made and levied over a specified area in the district for the purpose of a specified project approved by the Assembly;
“rate”: unless the context otherwise so indicates, rate includes any charge, license, permit, toll, tariff or levy imposed by the Assembly for any particular year.

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (BUSINESS OPERATING PERMIT) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Business Operating Permit) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Permit

2. (a) No person shall carry on any business within the area of authority of the Assembly without first obtaining a business operating permit duly granted by the Assembly.

Fee

- (b) There shall be charged a fee for every permit granted under this Bye-Law as specified in the Fee-Fixing resolution of the Assembly for any particular year.

Expiration

- (c) Such a permit granted under this Bye-Law shall expire on the 31st day of December each year.

Display

- (d) A business operating permit granted under this Bye-Law is not transferable and shall be displayed in a conspicuous part of the premises on which the business is operated.

Liability to pay property rate not excluded

3. An owner of a rateable permanent or temporary immovable property who is required to pay property rate under any existing law shall in addition be required to apply for a business operating permit under this Bye-Law for the operation of any business activities carried out on the premises.

Powers of entry

4. (a) Subject to the provisions of this Bye-Law, any officer or person duly authorized by the Assembly may during business hours enter into or upon any building, premises or land in the area of authority of the Assembly for the purpose of carrying out inspection, enquiry or any other duties authorized by the Assembly.
(b) No person shall obstruct or interfere with any office or person authorized by Assembly in the performance of any duties assign to him under this Bye-Law.

Revocation of permit

5. (a) The Assembly may withdraw or revoke any permit granted under this Bye-Law if any changes are effected in the business for which the permit was granted without the written authorization of the Assembly or if the person granted the permit contravenes any provision of this Bye-Law.

Closure of business

- (b) The Assembly may close down any business or suspend its activities until the appropriate fees, together with any accrued interest and/or incidental losses incurred, are paid for the grant of a permit for the operation of the business.

Winding up or suspension of business

6. (a) Where for any reason a company or person winds up its business entirely or suspends its operation for any period of time, the company or person shall immediately inform the Assembly in writing about such closure or suspension of business activities.

Failure to pay fees

(b) Any company or person that fails to comply with the foregoing paragraph shall continue to be liable for the payment of appropriate fees for a permit.

7. A person who fails to pay the required fees at the prescribed time shall be liable for prosecution for the recovery of the outstanding fees plus interest at the current bank rate with effect from the day of default up to and including the date of final payment of the fees, notwithstanding any criminal prosecution that might be instituted against such offender.

Offence and penalty

8. Any person who contravenes any of the provisions of this Bye-law or of any direction or any of the conditions of any license issued thereunder commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Compensation

9. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

10. In this Bye-law, unless the context otherwise requires,
“business” includes occupation, profession or trade;
“premises” includes part of the premises.

Made at a meeting of the Mpohoor District Assembly on the 23rd day of February, 2023.

HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF ABATTOIR & SLAUGHTER OF ANIMALS) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Slaughter of Animals & Control of Abattoir) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Slaughtering of animals restricted

2. No person shall slaughter any cattle or other domesticated animal for human consumption at any place in any of the towns and villages within the jurisdiction of the Assembly other than the places appointed for that purpose by the Assembly.

Prohibition of sale of meat slaughtered elsewhere

3. (a) No person shall sell or offer for sale in any town or village within the administrative area of the Assembly or within the precincts of such town or village the flesh of any cattle or domestic animal not killed in an abattoir or under a licence at a place appointed for the slaughter of animals except where the flesh or meat is imported and cleared through the Customs Division of the Ghana Revenue Authority.

Emergency slaughtering

(b) In case of an emergency, animals may be slaughtered at a place other than an abattoir under a license issued by the District Director of Veterinary Services/Environmental Health Officer provided that in every such case, the carcass and all the organs of the animal so slaughtered are brought without delay for examination by the officer or persons authorized by the Assembly.

Time of slaughter

4. Animals may be slaughtered between the hours of 5:00am and 5:00pm each day.

Care for animals

5. It shall be the duty of the person in charge of any animal awaiting slaughter to provide it with sufficient water and to protect it from any influence tending unnecessarily to cause it pain or harm.

Inspection of animals

6. Every animal brought to the abattoir for slaughter shall be inspected both before and after slaughter by the District Director of Veterinary Services or by an Environmental Health officer. All organs and parts of the slaughtered animal shall, after the said inspection, be stamped or otherwise marked so as to make each organ or part readily identifiable as meat qualified and passed as fit for human consumption.

Transport after Slaughter

7. No vehicle other than a vehicle hygienically equipped and approved by the Director of Health Services/ Environmental Health Officer for the purpose shall be allowed to transport

or convey meat so qualified for sale from the slaughterhouse or other approved place to the meat markets, meat shops, distribution center, hospitals or other organizations, except with the approval and under a permit issued and signed by the Director of Health Services/Environmental Health Officer.

Method of slaughter

8. (a) All animals slaughtered shall be killed by cutting the throat after stunning by means of a 'captive pistol' to be used only by a person authorized by the District Director of Veterinary Services.
- (b) No animal may be slaughtered within the sight of another living animal.
- (c) Subject to the provisions of the foregoing paragraph, a Health Officer/ Environmental Health Officer or any person employed by the assembly to exercise control over an abattoir or other place appointed for the slaughter of animals shall have power to direct the manner in which the animal shall be slaughtered so as to prevent any unnecessary cruelty to the animal and may issue such directions which shall be obeyed by any person using an abattoir or such designated places.
- (d) For the avoidance of doubt, no person shall treat the skin of any animal after slaughter by the application of harmful methods such as burning of vehicle tyres, and any such perpetrator commits an offence.

Conveyance after slaughter

9. No vehicle other than a vehicle hygienically equipped and approved by the Assembly for the purpose shall be allowed to transport or convey meat so qualified for sale from the abattoir or other approved place to the meat markets, meat shops, distribution centers, hospitals or other organizations, except with the approval and under a permit issued and signed by the Environmental Health Officer/ District Director of Veterinary Services or by an officer appointed by him.

Surrender of diseased carcass

10. Any carcass or any organ of the slaughtered animal found to be diseased or unfit for consumption shall be surrendered by the owner or person responsible for such carcass or organ to be impounded by the officer-in-charge who will arrange for its proper disposal or destruction.

Butcher's licence

11. (a) No person shall be allowed to slaughter an animal for sale to the public within the jurisdiction of the Assembly unless he is a holder of an appropriate licence duly issued by the Assembly.
- (b) All butchers and their apprentices shall be medically examined by an Environmental Health Officer/ Medical Officer once every twelve (12) months as part of the conditions for the grant and renewal of the licence.

Revocation of licence

12. Subject to the approval of the Assembly, any licence may be suspended or cancelled and the holder's name removed from the register by the District Environmental Health Officer/ Director of Veterinary Services where:
- (i) An owner or a registered person has been convicted of an offence under this Bye-Law; or
 - (ii) The Assembly is satisfied that an owner or a registered person has committed an offence against any order or direction in connection with the slaughter of animals or sale of meat; or
 - (iii) The conduct and behaviour of such a person is contrary to the intent and purpose of this Bye-Law.

Cleaning and disinfection

13. (a) The Environmental Health Officer shall at all times arrange for the proper cleaning and disinfection of the abattoir and its precincts after the slaughtering and dressing of the carcass.
- (b) All persons engaged in slaughter, dressing or sale of animals should wear aprons approved by the Assembly.

Offence and penalty

14. Any person who contravenes any of the provisions of this Bye-Law or of any direction or any of the condition of any license issued thereunder commits an offence and shall be liable on summary conviction to a fine not exceeding 200 penalty units or to a term of imprisonment not exceeding six (6) months or to both.

Civil Action

15. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

16. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

17. In this Bye-law, unless where the context otherwise requires, an abattoir means a slaughter-house or any such specially equipped facility where livestock is slaughtered for human consumption.
18. In this Bye-law, unless the context otherwise requires:
"Assembly" means the District Health Department of the Assembly.

SCHEDULE 1 (Section 3)

MPOHOR DISTRICT ASSEMBLY

(SLAUGHTERHOUSE) BYE-LAW, 2023

LICENSE FOR THE SLAUGHTER OF LIVESTOCK

(LICENSE for the Slaughter of Livestock at a place other than the Slaughterhouse or other approved place)

License is hereby granted to of for the slaughtering of livestock at

This license is valid up to the day of20.....

Fees GHC Date

.....

District Director of Health Services

SCHEDULE 2 (Section 11)

MPOHOR DISTRICT ASSEMBLY

(SLAUGHTERHOUSE) BYE-LAW, 2023.

LICENSE FOR BUTCHER

License is hereby granted to of as a butcher for the slaughter of animals in the Slaughter House or at any other approved place within the Mpohor District Assembly area.

This License is valid up to the day of 20.....

Fees GHC Date

.....

District Director of Health Services

SCHEDULE 3 (Section 11b)

MPOHOR DISTRICT ASSEMBLY

(SLAUGHTERHOUSE) BYE-LAW, 2023

LICENSE FOR BUTCHER'S ASSISTANT

License is hereby granted to ofas a
Butcher's Assistant for the year ending 31st December, 20.....
Fees GHC Date

.....

District Director of Health Service

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR ASSEMBLY (CONTROL OF LIVESTOCK) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows: –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Livestock) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Permit for rearing livestock

2. (a) No person shall rear or keep any livestock in or near any household within the area of administration of the Assembly without a permit issued for that purpose by the Assembly at a fee determined by the Fee-Fixing Resolution of the Assembly for any particular year.
(b) The Assembly, in granting a permit, shall regulate the conditions under which any such livestock are to be kept.
(c) For domestic, religious or customary purposes or ceremonies, a person may keep not more than five cattle in or near a household in the aforesaid area for a maximum period of fourteen (14) days, subject to the foregoing provisions.
(d) For avoidance of doubt, the keeping or rearing of cattle in the localities specified in the Schedule hereto is hereby prohibited.

Animals to be enclosed

3. Every cattle kept in or near a household under the immediately preceding provision shall be tethered or enclosed and no person shall allow any cattle to stray into any public place.

Impounding of stray animals

4. (a) If in any town, any livestock are found in any public place without any person in charge thereof, any environmental health officer, peace officer, health officer or guard so authorised may seize and impound the said animal in any common pound and have them detained until the owner pays to the Assembly a prescribed sum to cover expenses involved in the exercise.
(b) If the said sum is not paid within seven (7) days after impounding, the Environmental Health officer by the Assembly for the purpose shall give three (3) days’ notice displaced at public places of his intention to sell the animal at a public auction.
(c) At the expiration of the period of the said period, the said animal shall be sold by public auction and the proceeds paid to the Assembly.
(d) The Assembly shall not be responsible for any livestock that may die after it has been impounded.

Inspection of premises

5. (a) The Environmental Health officer, servant or agent appointed by the Assembly may, at any reasonable time, enter and inspect any premises where livestock are kept.

(b) Any cattle found in excess of the permitted number as provided under Clause 2 may be impounded by the officer, servant or agent.

Offence and penalty

6. Any person who contravenes any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

7. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

8. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

9. In this Bye-law, unless the context otherwise requires –
“livestock” means the male, female, or young of any animal of the following kinds, namely horse, ass, mule, cattle, sheep, goat or pig and any domestic animal other than a dog or cat.

SCHEDULE
(Paragraph 2(d))

PROHIBITED LOCALITIES FOR KEEPING OR REARING OF CATTLE

- a) District Chief Executive’s Residential Area
- b) District Assembly Staff Bungalow
- c) Residential Area
- d) Hospital and or Health Centre Area
- e) Localities as shall be specified in subsequent directives issued by the Assembly.

Made at a meeting of the Mpohor District Assembly on the 23rd the day of February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF POULTRY IN DWELLING HOUSES) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Control of Poultry in Dwelling House) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Poultry keeping in dwelling houses

2. (a) No person shall rear poultry in any dwelling house without first obtaining a permit from the Assembly.
(b) Subject, to the other provisions of this Bye-Law, the maximum number of poultry that may be kept in a dwelling house within the administration area of the Assembly shall be 200 birds, but this number may be exceeded only with the written consent of the District Director of Health Services/ Environmental Health Unit.

Housing of poultry

3. (a) Poultry shall be kept only in deep-litter or battery cage or in any other of poultry suitable housing the floor of which shall be strewn with a suitable absorbent material such as sawdust or wood shavings to keep down the offensive smell of droppings.
(b) Litter or droppings cleared from cages or other structures housing poultry shall be disposed of in accordance with the laws governing Environmental sanitation in the District and in such manner as the District Director of Health Services/ Environmental Health Unit shall from time to time by notice direct, provided that such litter or dropping shall not be disposed of in such manner as shall constitute a nuisance to residents.

Roaming of allowed

4. The owner or keeper of poultry shall not allow his birds to roam outside his compound or to stray into the home or land of other residents.

Impounding of stray poultry

5. (a) It shall be lawful for any Environmental officer or servant of the Assembly to impound any stray poultry.
(b) Impounded poultry shall be disposed of in such manner as the District Director of Health Services/ Environmental Health Unit shall direct.

Power of Health Officer and Authorized Officer to Inspect

6. It shall be lawful for an officer or employee of the Assembly or any Environmental Health Officer, Veterinary or Animal Husbandry Officer to enter any land in which poultry are kept or in which he has reason to believe that poultry are being kept so as-
 - i. To advise on or enforce any sanitary regulations in force under any enactment so as to prevent or minimize the spread of livestock disease particularly those communicable to man; or
 - ii. To find out if the conditions under which poultry are being kept meet the requirements of this Bye-Law.

Officer to report to Assembly

7. Any Environmental Health Officer, Veterinary or Animal Husbandry Officer undertaking the inspection mentioned in foregoing paragraph shall report his findings to the District Director of Health Service for further action.

Obstruction

8. No person shall obstruct or resist any officer or other person appointed by the Assembly who is acting in the performance of any duties relating to any of the purposes of this Bye-Law.

Offence and penalty

9. Any person who contravenes any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or in default to a term of imprisonment not exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

10. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

11. In addition to any sanctions imposed by the Court on the offender, the court shall also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

12. In this Bye-law, unless the context otherwise requires, “Health Officer” includes the Environmental Health Officer, District Director of Health Services, any other Medical Officer, and any person appointed as a Health Officer.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF RESTAURANTS AND EATING HOUSES) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows: –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Restaurants & Eating Houses) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Licence

2. (a) The owner or proprietor of any restaurant or eating-house shall obtain a license from the Assembly subject to such conditions as may be imposed.
(b) There shall be paid in respect of every license such amount as specified by the Fee-Fixing Resolution of the Assembly for any particular year.
(c) Every license issued under this Bye-Law shall be valid from the date of issue and shall expire on the 31st day of December of the year in which it is issued.
(d) Such license may be renewed for a period of six months or one year as the Assembly shall determine.

Separate rooms for eating and kitchen

3. Every restaurant or eating-house shall have-
 - (i) A separate room which shall be used solely as a public eating room; and
 - (ii) A separate room which shall be used solely as a kitchen for cooking and preparation of food and liquid refreshments for use in the restaurant or eating house.

Requirements for eating rooms

4. (a) Any room used as a public eating room in any restaurant or eating-house shall be not less than 15 feet in length, 12 feet in width and 10 feet in height.
(b) The floor of every public eating room shall be made of concrete or other impervious materials.
(c) Every public eating room shall be provided with adequate lighting and ventilation and rendered fly-proof.
(d) No living or sleeping room shall open directly into a public eating room.
(e) In every public eating room, there shall be provided shelves or cupboards for the storage of plates and other utensils as well as suitable tables and chairs or benches.

Provision of Washroom

- (f) Every Restaurant/eating house shall provide a washroom for use by its clients.

Requirements for kitchen

5. (a) Every kitchen in a restaurant or eating-house shall be of a type approved by the Assembly and in every such kitchen suitable fly-proof storage for food-stuffs shall be provided together with one or more tables with non-absorbent surface for the preparation and serving of food.
(b) In every such kitchen, an adequately covered receptacle for the disposal of garbage shall be provided and maintained by the owner or proprietor.

Washing of utensils

6. In every restaurant or eating-house, suitable arrangements shall be made by the owner or proprietor for the regular washing of plates, bowls, cooking utensils, drinking cups and hand-towels.

Cleaning

7. Every restaurant or eating-house shall be kept clean at all times.

Certification

8. (a) Any person wishing to operate a restaurant or an eating-house or anyone who is engaged in the preparation, handling, serving or otherwise deals with food prepared and served in any eating-house or restaurant or street trade shall first be certified to be free from any communicable disease under the authority of the Environmental Health and Sanitation Unit.
(b) Such certification shall be done annually periodically as shall be directed by the authority.

Unfit persons

9. No proprietor of a restaurant or eating house shall allow any person suffering from any communicable disease to take part in the preparation or serving of food at the restaurant or eating-house.

Drainage

10. Suitable drainage of waste water from the premises of a restaurant or eating-house shall be provided.

Nuisance

11. No animals or fowls or other items likely to cause a nuisance shall be kept on the compound of any restaurant or eating-house.

Obstruction of officer

12. No person shall obstruct or resist any officer or person appointed by the Assembly who is acting or purporting to act in the performance of any of the duties relating to any of the provisions of this Bye-law in any restaurant or eating-house.

Revocation of licence

13. The Assembly may withdraw any license issued under this Bye-law if any alteration is made to any premises subsequent to the grant of the license without the prior approval of the Assembly, or if the license flouts any of the conditions contained in the license or the provisions of this Bye-law, or for any other justifiable cause.

Offence and penalty

14. A person who contravenes any provision of this Bye-law commits an offence and is liable on conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

15. Any penalty on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

16. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

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

“Eating-house” or “Restaurant” means any premises where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption and includes drinking bars.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR. SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (ESTABLISHMENT OF DISTRICT GUARDS UNIT) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Establishment of Guards Unit) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Establishment of Guards Unit

2. There shall be continued as established within the Assembly a body known as the Guards Unit (hereinafter called “the Unit”) which shall operate under the Central Administration Department.

Divisions of the Unit Head of Unit

3. The Unit shall be divided into such number of divisions as the Assembly may from time to time specify.
4. The Unit shall be directly under an officer so appointed by the Assembly and shall be responsible to the Head of the Central Administration Department.

Duties of Head of Unit

5. The Head of the Unit shall be responsible for exercising general supervision over its operations and day-to-day administration and shall report to the Head of the Central Administration Department.

Recruitment and Qualification

6. (a) No person shall be recruited into the Unit without the minimum qualification of Basic Education Certificate or its equivalent.
(b) The person recruited shall not be below the age of twenty (20) years and above the age of forty (40) years
(c) Every such recruit shall upon appointment undergo such basic training as may be prescribed by the Assembly.

Scheme of Service

7. The Assembly shall provide for a Scheme of Service for the Unit that shall provide for level, ranks, promotion, etc. .

Powers of arrest

8. (a) Every Guard shall have power to arrest anyone who contravenes the Assembly’s Bye-laws and other corresponding legislation and regulations, in addition to the usual powers of arrest conferred on any member of the public.
(b) Whenever an arrest is made by a Guard under the powers conferred on him as a member of the public, it shall be the duty of the Guard to send the suspect to the nearest police station as soon as practicable.

Duties of Guards

9. The Guards shall –
 - (i) Assist officers of the Ghana Police Service to maintain law and order in public places;
 - (ii) Assist in Revenue Mobilization;

- (iii) Regulate traffic and assist at pedestrian crossings;
- (iv) Assist in the enforcement of the Assembly's Bye-laws;
- (v) Carry out any other duties as the Assembly may from time to time specify.

Seized Items

10. (a) Where a District Guard seizes an item in the course of duty, the District Guard shall comply with provisions of this section.
- i. The seized items shall be sent to the Unit's office as soon as practicable and shall indicate to the owner of goods where the goods are being sent.
 - ii. Where the goods are perishable, the owner shall be required to pay a required amount determined by LOCAL Assembly within a day before the goods are returned to the owner.
 - iii. Where the perishable goods are not reclaimed a day after seizure, the Assembly may donate them to the prisons or a Social Welfare Centre.
 - iv. Where the goods are not perishable, the owner shall, not more than seven (7) days, pay and reclaim the goods.
 - v. Where the non-perishable good is not reclaimed within the specified period, the Assembly may auction off the item and amount paid into the Assembly's Account.
- (b) The Unit shall keep records and receipts of all items seized and all amounts paid for reclamation of items seized.
- (c) The Assembly Shall on yearly basis determine the amounts to be paid for the reclamation of seized items.

Misconduct

11. (a) Any act done without reasonable excuse by a Guard which amounts to a failure to perform in a proper manner any duty imposed on him as such, or which is otherwise prejudicial to the efficient conduct of the Unit, or tends to bring the Unit and/or the Assembly into disrepute, shall constitute misconduct.
- (b) Without prejudice to the generality of foregoing clause, it shall be misconduct for a Guard-
- (i) To be absent from duty without leave or reasonable excuse;
 - (ii) To be insubordinate;
 - (iii) To sleep on duty;
 - (iv) To be extorting money from persons arrested for an offence;
 - (v) To drink any alcoholic beverage, smoke cigarette or hemp, or indulge in any narcotic drug or banned substance while on duty; or
 - (vi) To use without lawful authority for some purpose not connected with his official duties any property or facilities provided for the purposes of the Unit.

Community Watch Committee

12. The District Assembly shall encourage Communities to form, maintain and operate Community Watch Committees in collaboration with the Ghana Police Service.

Penalty for misconduct

13. The following are the penalties that may be imposed in respect of the misconduct or unsatisfactory service of a Guard –
- (i) Termination of appointment;
 - (ii) Reduction in rank with an immediate reduction in salary;

- (iii) Deferment of increment (that is to say, postponement of the date on which the next increment is due with corresponding deferment in subsequent years);
- (iv) Stoppage of increment and non-payment of increment for a specified period;
- (v) Imposition of fine;
- (vi) Suspension from duty without pay for a specified period.

Surrender of uniforms and other Accoutrements

14. Every Guard shall on ceasing to hold and exercise his office forthwith deliver to the Head of the Unit all the clothing and other property supplied to him free of charge for official duties.

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF MARKETS) BYE-LAW, 2023

In exercise of the powers conferred on the MpoHOR District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows: –

Title

1. This Bye-law may be cited as the MpoHOR District Assembly (Control of Markets) Bye-Law, 2023 and shall apply to the area of administration of the MpoHOR District Assembly (hereinafter called “the Assembly”).

Control of markets

2. The Assembly shall have the control and management of markets in all towns and villages under its jurisdiction.

Allotment of shops and stalls

3. (a) Shops, stalls, spaces and selling sites in and outside the markets shall be allotted for the sale of such specified items, commodities or articles as the Assembly may from time to time direct.
(b) Application for the use of shops, stalls, spaces or selling sites shall be made to the District Coordinating Director/ Environmental Health Officer, or such other officer as the Assembly may appoint for that purpose.
(c) The allocation of such shop, stall, space and selling site shall be made in the order of applications received and therefore the decision of the District Coordinating Director/ / Environmental Health Officer, or other officer appointed as aforesaid, as to the order of priority of applications shall be final.

Subletting of shops

4. The Assembly reserves the right to allot stores, stalls, spaces or selling sites for such terms and conditions it may determine.

Discontinuance of occupancy

5. No occupier of any shop, stall, space or selling site in a market shall sublet or share such allotted premises except with the prior written consent of the Assembly.
6. In any case where the rent of any shop, stall, space or selling site in a market is payable monthly, the occupier thereof shall give three (3) months’ prior notice of their intention to discontinue the use thereof to the Assembly and shall under no circumstances transfer the use or occupancy of such premises to any other person unless otherwise expressly directed by the Assembly.

House of operation

7. The markets shall be opened daily to the public from 6:00am to 6:00pm unless otherwise directed.

No admittance to market

8. No person other than schedule officers of the Assembly or officers of the security services in uniform shall on any occasion be in the market at hours outside the stated times specified in the foregoing paragraph.

Rent

9. (a) The rent for shops, stalls, spaces or selling sites shall be as specified by the Fee-Fixing Resolution of the Assembly published annually.

(b) All rents shall be paid in advance and in the case where the rent is payable monthly, any portion of a month shall be counted and paid for as an entire month.

(c) Whenever rent is paid, a counterfoil receipt shall be issued in respect of the payment and such receipt shall be accepted as proof of allotment for the period for which it is issued.

(d) 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.

Liability for loss or damage

10. (a) The Assembly shall be under no liability for any loss or damage to the property of any occupier of any shop, stall, space or selling site in a market as a result of fire, theft, burglary or any other cause whatsoever.

(b) In that regard, occupiers may take relevant insurance policies to cover their wares against such events.

Categorization of market

11. Markets shall be divided into such categories and assigned such facilities as the Assembly may determine.

Sales restriction

12. (a) No person shall sell at any place other than a market without first obtaining approval from the Assembly.

(b) No person shall sell in any place at a market other than at the shop, stall, space or selling site allotted to him or her.

(c) No occupier of any shop, stall, space or selling site shall sell or expose for sale any commodity other than those permitted to be sold at that area or in such allotted premises.

Cleaning

13. (a) Every occupier of a shop, stall, space or selling site in a market shall be responsible for the cleaning of the allotted premises and its surroundings including drains at all times of the day.

(b) Before leaving the market at the close of the day, every occupier shall thoroughly clean the shop, stall, space or selling site and its surroundings and all rubbish shall be swept and deposited in central containers provided for the purpose.

(c) All stains from oil, fat or other articles shall be thoroughly washed away.

(d) No person shall throw or dispose of any rubbish, litter, waste material or any other thing in any pathway, gutters or any open space in the market.

Certification of fresh meat

14. No person shall sell in the District fresh meat which has not been slaughtered in an abattoir and passed for sale by the appropriate medical Veterinary Doctor/ Environmental Health Officer.

Articles of food to be raised from ground

15. No occupier of any stall, space or selling site in a market shall expose for sale any bread, fresh fish, prepared grain food or any other articles of food unless the same is placed on a table or on a support raised at least one metre from the ground.

Food to be protected

16. No article which is likely to be used for human consumption in the state in which it is exposed for sale shall be sold without adequate protection from dust, flies, insects or harmful substances.

Obstruction of pathway

17. No seller shall place any box, basket or other container in any pathway or avenue of a market.

Dogs, offal, etc, not allowed

18. No person shall bring or cause to be brought into a market any of the following-

(i) Dogs or sheep;

- (ii) The offal of animal unless the same is a permitted article of sale under this Bye-Law; or
- (iii) The skin of any animal, unless the same has been properly cured or dressed.

Prohibited persons

19. Environmental Health Officers of the Assembly shall have the power to refuse right of entry into a market to any person who has previously been guilty of such misconduct in or about the market as in the opinion of the officer justifies such refusal, and to any person of unsound mind and to any leper or person suffering from vermin or from any contagious or infectious disease.

Care of children

20. Every person in charge of a child in a market shall be responsible for the cleanliness and orderly conduct of the child and shall on the request of any Environmental Health Officer of the Assembly remove any nuisance the child may commit.

Orders

21. Every person using a market either as a seller or purchaser and every other member of the public using or frequenting a market shall obey all reasonable directions and requests of the Environmental Health officers of the Assembly or police officers given for the preservation of cleanliness, order and regularity in the market, or for facilitating the dispatch of business therein.

Use of Fire

22. (a) No person shall be allowed to use naked fire or gas in the market.
(b) The Assembly shall designate area(s) within the market where fire may be used.
(c) No persons shall use fires except at the designated areas.

Hawker's Licence

23. (a) No person shall sell, offer for sale or exhibit for sale any article of merchandise except in a public market or shop save under, and by virtue of, and in accordance with the conditions and limitations contained in a license granted for that purpose by the Assembly to be known as a Hawker's License.
(b) There shall be payable in respect of any such license a fee specified in the Fee-Fixing Resolution for any particular year.
(c) The conditions and limitations contained in the license shall include the following –
(i) All food sold in the state in which it is to be consumed must be protected by covering with wire gauze or netting or other suitable material against dust and flies;
(ii) The District Environmental Health Officer/ District Director of Health Services may cancel any license the holder which is found to be suffering from an infectious or contagious disease or any disease of the skin;
(iv) No hawker shall loiter to sell any item of food in a state that is to be consumed within 50 metres of a public latrine or a refuse collection area.

Offence and penalty

24. (a) Any person who contravenes or fails to comply with any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six (6) months or to both.
(b) Without prejudice to any sanctions as specified in the foregoing clause, the Assembly reserves the right to suspend for such period(s) as it may deem fit and/or terminate the tenancy of any occupier or seller who willfully flouts any of the provisions of this Bye-law.

Civil Action

25. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

26. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate 20% of the fines compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF NUISANCE AND INFECTIOUS DISEASES) BYE-LAW, 2023.

In exercise of the powers conferred on the MpoHOR District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the MpoHOR District Assembly (Control of Nuisance and Infectious Diseases) Bye-Law, 2023 and shall apply to the area of administration of the MpoHOR District Assembly (hereinafter called “the Assembly”).

General offences

2. The following acts shall constitute offences under this Bye-Law –
 - (a) The keeping or harbouring of any animal in any premises in such a manner or in any premises so constructed or so situated, as to cause or is likely to cause such keeping or harbouring injurious to health.
 - (b) Any growth of weeds, prickly pear, long grass or wild bush of any sort;
 - (c) Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates;
 - (d) Accumulation or deposit of articles or things which is detrimental to the amenities of the place, or in respect of which it is certified by an Environmental Health Officer that by reason of its character or situation, it is, or likely to be, injurious or dangerous to health;
 - (e) Any work, manufacturing, trade, or business injurious to the health of the neighbours or which is so conducted as to be dangerous to health or likely to be so;
 - (f) Any rat-infested house or premises, or any rat-infested part of any house or premises, or rat-hole in any part of any house or premises.
 - (g) Causing nuisance in any street, house, pool, ditch, drain, gutter, water course or toilet.

Duty of occupier to keep premises free from nuisance

3. The occupier of any premises or the owner of the premises for the time being unoccupied or if the occupier cannot be found shall keep such premises free from all nuisance; and where any premises abuts a street, the occupier (or owner in the case as aforesaid) shall keep clean and free from all nuisances so much of such street as shall be contiguous to such premises up to the edge of such street, including drain, gutter or channel situated on any such portion of the street.

Duty of Health Officers

4. Environmental Health Officers shall from time to time conduct inspections in order to ascertain if any nuisance exists, and if so, to enforce the provisions of this Bye-law.

Throwing rubbish in the street

5. Whoever in any town or place causes or permits to be placed any carrion, filth, dirt, refuse, or rubbish, or any offensive or otherwise unwholesome matter, on any open space, except at such places as may be set apart by the Assembly for that purpose, commits an offence.

Rubbish deemed to have been deposited by occupier

6. Where an offence has been committed punishable under the preceding paragraph and the offender has not been identified or discovered, the fact of any such refuse or rubbish or other substance mentioned in that paragraph being found in front or at the back or side of any premises shall be prima facie evidence of its having been placed there by the occupier(s) of the premises.

Notice to abate nuisance

7. (a) Whenever an Environmental Health Officer receives information of, or otherwise has reason to suspect the existence of, any nuisance, he shall make or cause to be made an inspection of the premises where such nuisance is suspected to exist, and if he discovers the existence of any nuisance, he may serve a notice on the person by whose act, default, or sufferance the nuisance has arisen or continues, or on the occupier or owner of the premises (as the case may be) requiring him to abate the same. In the case of a nuisance falling within the purview of Clause 2(a) of this Bye-law, the notice may require the occupier or owner of the premises concerned to remove the animal concerned from the said premises.

(b) If a person on whom a notice is served defaults in complying with any of the directives thereof within the date specified therein, or within five days if no date is specified, or fails to satisfy the District Environmental Health Officer that the said nuisance is not likely to recur on the same premises, the officer shall take proceedings before the courts.

Court proceedings

(a) If such Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the Court shall make an Order requiring the person in default to comply with all or any of the directives of the notice, or otherwise to abate the nuisance within the time specified in the Order or such time as the Court may deem sufficient, or an Order prohibiting recurrence of the nuisance, or an Order both requiring abatement and prohibiting the recurrence thereof.

Court to enforce notice

(b) Whoever disobeys an Order requiring abatement or prohibiting the recurrence of the nuisance shall, if he fails to satisfy the Court that he has used all due diligence to carry out the Order, be liable to a fine not exceeding 100 penalty units and in case of a continuing offence to a further penalty not exceeding one penalty unit for each day the offence continues after written notice of the offence has been served on the offender.

Power to abate nuisance when owner, etc, not known

(c) Whoever acts knowingly and willfully contrary to an Order of prohibition shall be liable to a fine of 100 penalty units and in the case of a continuing offence to a further penalty of one penalty unit for each day after written notice of the offence has been served on the offender.

Inspection of premises

(d) The District Environmental Health Officer or his assistants may enter the premises to which the Order relates and abate the nuisance and do whatever may be necessary in execution of the Order, and may recover the expenses incurred by them as a civil debt from the person against whom the Order is made.

8. Where the person by whose act or default the nuisance has arisen, or the owner or occupier of the premises upon which the nuisance exists, is not known or cannot be found, then the necessary work of abating such nuisance may be executed under the authority of the Assembly.

9. (a) An Environmental Health Officer or any person or persons authorized by the District Director of Health Services together with any assistant(s) wearing an official badge or token, may enter and inspect any premises at any time between 6.00a.m. and 6.00p.m. for the purpose of examining as to the existence or continuance of any nuisance therein or abating same.

(b) If admission to premises for any of the purposes mentioned in this Bye-law is refused, the District Chief Executive may in writing require the person occupying or having custody of the premises to admit the Environmental Health Officer or any person(s) authorized as aforesaid into the premises between the hours aforesaid ; provided that,

(i) If no person occupying or having custody of the premises is found, the District Chief Executive may authorize the aforesaid persons, or any of them, if necessary, to break into and enter such premises; and any such order shall continue in force until the nuisance has been abated, or the work for which the entry was necessitated has been done;

(ii) If the premises is occupied, the District Chief Executive may seek the Order of the Court to have the said premises broken into for the said purpose.

(c) Whoever without lawful justification refuses admission to any Environmental Health Officer or other person as aforesaid, or obstructs or hinders him from making any such entry for inspection or abatement of nuisance commits an offence.

Overcrowding of premises

10. (a) For the purpose of this Bye-law, a room, hall or passage-

(i) Used as a dormitory of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least 480 cubic feet of air space for each pupil, any height of over 12 feet being ignored in the calculation;

(ii) Used as a classroom of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least 360 cubic feet of air space and 36 square feet of floor space for each adult, with two children under ten years of age counting as one adult.

(b) Any owner or occupier of any premises on or within which any overcrowding within the meaning of Clause 10(a) takes place shall independently of any other liability which he may have incurred, be guilty of an offence.

(c) In addition to all other powers and facilities provided by this Bye-law or by any other law for the time being in force, for the purpose of ascertaining whether any offence against the provision of this paragraph is being or has been committed in respect of any building or of any part of the building which is or is suspected by the District Environmental Health Officer of being or having been so overcrowded as to be injurious to the health of the inmates, it shall be lawful for a Magistrate or Judge, at his discretion, after duly receiving a sworn information in that behalf from the District Environmental Health Officer, to authorize by an Order under his hand two or more officers who shall be named in such order to enter for the purpose aforesaid into such building between the hours of 6.00 a.m. and 6.00 p.m.

Notice to cleanse and disinfect infected premises

11. (a) Where any Environmental Health Officer considers that the cleansing and disinfecting of any house or part thereof or of any articles therein would tend to prevent or check infectious diseases, it shall be his duty to give notice to the occupier or owner requiring him to cleanse and disinfect such house or part thereof or articles herein.

(b) If the person to whom notice is given fails to comply therewith he shall be liable to a fine of 2 penalty units for every day during which he continues to make default, and the Environmental Health Officer may cause such house or part thereof and articles therein to be cleansed and disinfected and recover the expenses from the occupier or owner in default.

Letting out infected house

12. (a) Whoever knowingly lets, either for hire or otherwise, any house, room or part of a house in which any person has been suffering from any dangerous infectious disorder without having such house, room or part thereof and all articles therein, properly disinfected to the satisfaction of the Environmental Health Officer, commits an offence.

(b) For the purpose of this paragraph, the keeper of any boarding house, hostel or hotel shall be deemed to let for hire part of the house to any person admitted as a guest into such hoarding house, hostel or hotel.

Exposure of infected persons or things

13. A person commits an offence who,

- (i) While suffering from any dangerous infectious disorder, willfully exposes himself without proper precautions against spreading the disorder in any street, public place, shop, boarding house, hostel, hotel or public conveyance;
- (ii) Being in charge of any person so suffering so exposes such person;
- (iii) Gives, lends, sells, transmits, or exposes without previous disinfection any bedding, clothes, or other things which have been exposed to infection from such disorder; or
- (iv) Being in charge of a public conveyance shall not immediately provide for its disinfection after it has been used to convey any person suffering from a dangerous disorder.

Order for removal of infected person

14. (a) Where any suitable hospital or place for the reception of the sick is provided, any person who is suffering from any dangerous infectious disorder, and is without proper lodging or accommodation or is lodging in a house so overcrowded that, in the opinion of the Environmental Health Officer, his continuance therein may probably lead to the spread of the disorder, may with the consent of the superintending authority of such hospital or place be removed thereto by an order of a Magistrate or Judge.

(b) Whoever willfully disobeys or obstructs the execution of such an order commits an offence.

Offence and penalty

15. Any person who contravenes or fails to comply with any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

16. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

17. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

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

“Environmental Health Officer”: includes the District Environmental Health Officer, the District Director of Health Services or any other Medical Officer or Environmental Health Officer so appointed by the Assembly for that purpose;

“house” includes any school;

“nuisance” means anything or act which is injurious or likely to be injurious to the health of any person(s) or animal(s) and which act could be abated by the assembly or by any person whose act or omission to act causes the said nuisance.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (MANAGEMENT OF WASTES) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Management of Wastes) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Ownership of wastes

2. All wastes generated within the jurisdiction and/or deposited in the public domain of the Assembly shall be the property of the Assembly.

Responsibility

3. The Assembly and/or its registered agents or contractors shall be exclusively responsible for the management of all types of waste within the entire administrative area of the Assembly.

Wastes to be made available

4. Every household, industry, office and other premises within the Mpohor District shall make its wastes available to Assembly or its authorized agents or contractors for disposal or otherwise.

Disposal

5. Wastes made available by owners or occupiers of premises shall be collected, treated and disposed of at designated sites or given out to interested persons to be recycled or processed by the Assembly or its authorized agents or contractors.

Liaison with the Assembly

6. All occupiers or owners of premises with exception of household premises shall designate a member of their staff to be directly responsible in all matters relating to waste management and such designated staff shall liaise with the Assembly or its authorized agents or contractors on all waste management issues.

Solid waste containers

7. Owners or occupiers of premises shall be responsible for the provision of containers (240 litre bins) that will be used in storing solid waste within or outside their premises in consonance with specifications approved by the Assembly.

Storage of liquid waste

8. Owners or occupiers of premises shall be responsible for the provision of septic tanks or pits or any approved structures that will be used in storing liquid waste within or outside their premises in consonance with building specifications approved by the Assembly.

Household toilets

9. Every household shall provide for private use suitable domestic toilets in accordance with specifications approved by the Assembly.

Ban on pan latrines

10. The use of pan latrines in all houses or premises within the District is prohibited by the coming into force of this Bye-law.

Notification

11. It shall be the duty of every owner or occupier of premises or overseer of a public toilet or to which a septic tank or pit is installed to inform the Assembly or its authorized agent or contractor as soon as the septic tank or pit becomes full or requires to be emptied.

Fees to be charged

12. The Assembly shall impose prescribed fees on an owner or occupier of premises where services are rendered for the disposal of wastes and such fees shall be reviewed from time to time by a Fee-Fixing Resolution of the Assembly.

Defaecation in public places

13. No person shall defecate or urinate in any public or open place other than in an approved toilet facility.

Offences

14. A person commits an offence, who –
- (a) Fails to provide a standard container for waste storage as prescribed by the Assembly;
 - (b) Receives services from unauthorized person(s) or uses unauthorized containers;
 - (c) Refuses to allow the Assembly or its authorized agents or contractors to collect wastes from one's premises;
 - (d) Fails or refuses to pay prescribed fees for waste management services;
 - (e) Uses pan latrine;
 - (f) Fails to inform the Assembly or its authorized agents or contractors when the septic tank or pit on his or her premises or at the public toilets becomes full;
 - (g) Indiscriminately dumps, disposes of and/or discharges waste in open spaces, drains, gutters, behind walls, or burns solid waste in one's compound;
 - (h) Indiscriminately defecates or urinates anywhere other than in a public toilet or urinal; or
 - (i) Recycles waste without prior approval of the Assembly;
 - (j) Upon demand by the Assembly or its authorized agents in the investigation of any nuisance fails and/or refuses to provide one's name or other relevant personal particulars;
 - (k) Causes blockage of flow in a public drain resulting in stagnation of the flow;
 - (l) Connects drains in his premises to a public drain without prior authorization by the Assembly; or
 - (m) Does any act in contravention of the provisions of this Bye-law.

Offence and penalty

15. Any person who contravenes any of the provisions of this Bye-law commits of an offence and shall be liable on summary conviction to a fine of 100 penalty units or to a term of imprisonment not exceeding six (6) months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

16. . Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

17. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

18. In this Bye-law, unless the context otherwise requires –
- “Court” means the District or Circuit Court;
 - “Liquid wastes” means night soil, septage and effluent from septic tank or pit;
 - “Person” means both legal and natural persons;
 - “Solid wastes” means refuse, rubbish and garbage;
 - “Wastes” includes all liquid, solid, hazardous, industrial and all other types of waste.

LOCAL GOVERNMENT BULLETIN, 23RD FEBRUARY, 2023

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (ABATEMENT OF NOISE) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Abatement of Noise) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Recording and sale of musical products

2. No audio or video tape, compact disc or other recorded musical products shall be produced, engineered or sold in any place unless such place has been inspected, approved and licensed by the Assembly for the purpose.

Licence

3. Every application for such licence shall be made in writing to the Assembly and every such licence when granted shall be an annual licence and shall expire at the end of that particular year unless renewed.

Fee payable

4. The fee for every such licence shall be as prescribed by the Assembly and no licence shall be granted on the payment of a sum less than the fee prescribed for a whole year.

Provision of sound-proof room

5. In all premises used for the recording, production or selling of musical products, there shall be provided a sound-proof room which shall be equipped with such instruments or gadgets as to eliminate any unnecessary loud noise or nuisance to the public.

Revocation of licence

6. The Assembly in its absolute discretion may withdraw any licence under this Bye-law if any alteration is made to the sound-proof room licensed hereunder after the licence has been granted or if the owner is convicted of any offence under this Bye-law.

Music in night clubs, restaurants, etc., not to cause annoyance to neighbours

7. (a) It shall be unlawful for night clubs, restaurants, drinking bars, salons, hotels and other such outfits to play music the blare of which causes annoyance or disturbance to the neighbours.

(b) Where such music is provided in any such place as mentioned in the foregoing clause, it shall be so provided as to be heard only within the confines of such night club, restaurant, drinking bar, salon or hotel unless otherwise expressly directed by the Assembly.

Standard of noise levels

8. The ambient noise level standards specified in the Schedule hereto or such standards as may be subsequently issued for compliance by the relevant state institution for the purpose in a national legislation shall be applicable to the whole area of authority of the Assembly and shall be observed by all persons or bodies at all times.

Limitation on religious institutions

9. It shall not be an offence under this Bye-law for religious institutions to play music or engage in activities within the permissible noise levels at any approved place provided that play shall not extend beyond 10.00pm.

Permits to be obtained

10. Any person or body wishing to play music for any reason in public beyond 10.00pm shall apply for a permit authorizing such play and whoever does so without a permit commits an offence.

Offence and penalty

11. Any person, establishment or institution which contravenes any of the provisions of this Bye-law or any license granted hereunder commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment to exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

12. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

13. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

SCHEDULE

(Paragraph 8)

AMBIENT NOISE LEVEL STANDARDS

DESCRIPTION OF AREA OF NOISE RECEPTION	PERMISSIBLE NOISE LEVEL IN Db(A)	
	Day	Night
	(0600-2200)	(2200-0600)
Residential areas with low or infrequent transportation	50	45
Educational (school) and health (hospital, clinic) facilities	55	48
Areas with some commercial or light industry	60	55
Areas with some light industry, places of entertainment or public assembly, and places of worship located in this zone	65	60
Predominantly commercial areas	75	70
Light industrial areas	65	60
Predominantly heavy industrial areas	70	70

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023

HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEKU ADJEI
District Co-ordinating Director

MPOHOR DISTRICT ASSEMBLY (CONTROL OF PUBLIC ROADS & PARKING OF VEHICLES) BYE-LAW, 2023.

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023(Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Control of Public Roads & Parking of Vehicles) Bye-Law, 2023 and shall apply to all public roads within the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Unauthorised parking

2. No driver of a heavy-duty vehicle shall park his vehicle on any road or at any place within the District except in areas specified and declared by the Assembly to be parking areas for such vehicle.

Washing prohibited

3. (a) No driver or person in charge of a car, van, bus, track or any other vehicle shall wash or clean such vehicle on any public road within the District.
(b) Washing of vehicles shall be undertaken in such fuel stations, garages and facilities as are equipped and licensed for the purpose.
(c) Washing of vehicles (Private/Commercial) in and around water bodies/on streets/ on roads is prohibited.

Obstruction

4. No person shall in any way or manner prevent or obstruct the use of a public road by any member of the public except as herein contained or as the Assembly shall expressly direct.

Excavation

5. No person, organization or institution shall dig a trench, man-hole or make any excavation whatsoever in or across any road or street without the written consent and subject to the conditions imposed by the District Works Engineer and/or the District Roads Engineer, including the payment of specified fees.

Litter bins on vehicles

6. No person shall drive a commercial vehicle other than a taxi cab within the District without having on board an approved litter bin.

Littering from moving vehicles

7. There shall be no littering from moving vehicles on public roads and in the event of such littering, the person in charge of the vehicle shall be held responsible therefor unless the contrary is proved by him.

Covering of trucks

8. All truck and other vehicles used for the conveyance of refuse, sand, stones, quarry dust, sawdust, wood waste or such other material within the District shall be appropriately covered to prevent such material flying off such vehicle.

Repair of vehicles

9. No person shall repair a broken down vehicle on a public carriageway or walkway and any such vehicle must be towed away to a garage for the purpose.

No stopping and parking

10. No person in charge of a vehicle shall stop or park the vehicle at any place other than the authorized parking bays or lay-bys sited along public roads.

On-street parking

11. In addition to parking lots, bays and lay-bys, the Assembly may designate specified portions of public roads to be used for on-street parking by motorists who shall pay a specific fee for such duration as may be indicated on the ticket issued therefor.

Clamping and towing of wrongfully parked vehicles

12. In order to enforce compliance of the provisions of this Bye-Law, accredited officials and agents of the Assembly may clamp and/or tow for safe storage vehicles belonging to defaulters until such a time that all applicable fees are paid.

Repainting of houses

13. All houses situated along public roads or streets shall be repainted at least once every five years unless otherwise directed by the Assembly.

Offences

14. A person commits an offence, who –

- (a) Mounts a billboard, signboard, road sign or any other signage without first obtaining the appropriate permit;
- (b) Tampers with the road corridor with the aim of reducing the speed of vehicular traffic without prior approval;
- (c) Blocks a public road without a permit;
- (d) Tips or dumps construction material, firewood or other such material on the road corridor;
- (e) Sells on or obstructs a walkway or road shoulder;
- (f) Tampers with mounted road signs without prior approval;
- (g) Damages or causes or permits his vehicle to damage any road, road furniture or facilities;
- (h) Stops or parks a vehicle at a public place other than an authorized lay-by or park;
- (i) Parks or abandons a broken down vehicle on any public road; or
- (j) Contravenes any of the provisions of this Bye-Law.

Penalty

15. Any person who contravenes or fails to comply with any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six (6) months or to both.

16. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Civil action

17. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action than the Assembly may decide to commerce

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (CONTROL OF COMMERCIAL VEHICLES)
BYE-LAW, 2023**

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Commercial Vehicles) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

PART I – LICENSING AUTHORITY

Approval by Licensing Officer

2. No person shall be granted a commercial vehicle licence, taxi licence or a taxi driver’s licence by the Licensing Authority unless the grant of such licence shall first have been approved by the Licensing Officer.

Revocation of licence, etc.

3. (a) Any licence granted by the Licensing Officer under this Bye-Law may at any time be revoked, suspended or varied by him or any person or persons authorized by him so to do.
(b) The holder of any licence so revoked, suspended or varied shall within seven days of such revocation, suspension or variation deliver the licence to the Licensing Officer for endorsement and, if required to do so, bring any vehicle concerned to the Licensing Officer for the removal of any notice affixed in pursuance of this Bye-Law.
(c) Any person who is aggrieved by the decision of the Licensing Officer in suspending, revoking or varying any licence may within seven days of such decision notify the Licensing Officer of his intention to appeal against such decision to the District Chief Executive.
(d) The aggrieved person shall present a petition for redress to the District Chief Executive whose decision shall be final in such matters.

False representations

4. If any person for the purpose of obtaining the grant of a licence for himself or for any other person, partnership or company knowingly makes any false statement or withholds any material information, he shall be guilty of an offence under this Bye-Law.

Fee payable

5. The prescribed fees payable for an application form for a licence or for the grant of any licence under this Bye-Law shall be as provided in the Fee-Fixing Resolution of the Assembly for any particular year.

Processing of applications

6. All applications tendered to the Licensing Authority in respect of the grant of a licence shall be processed within seven (7) working days.

PART II – TAXI/COMMERCIAL VEHICLE LICENCE

Licence

7. No person shall allow, cause or permit a motor vehicle to be used as a taxi or commercial vehicle nor drive any motor vehicle within the District unless in addition to being licensed under the applicable motor traffic regulations, it has also been licensed for use as a taxi or commercial vehicle under this Bye-Law.

Application form

8. Every application for a taxi licence or a commercial vehicle licence shall be made to the Licensing Authority on a prescribed form which may be obtained from the Licensing Officer at a specified fee and shall be signed by the owner of the vehicle or where the vehicle is in joint ownership by one of the owners or where the owner is a partnership or company by the senior partner or the secretary or the manager or other duly authorized officer of the company as the case may be on its behalf.

Refusal of grant

9. The Licensing Officer shall make such enquiries into the applicant's character and circumstances as he may think fit and may refuse to grant such licence if he is satisfied:
- (i) that the application has been convicted of any indictable offence or any offence involving dishonesty; or
 - (ii) that the vehicle in respect of which the application is made does not conform to the required conditions of fitness laid down by the Licensing Authority.

Procedure for grant

10. (a) If after examining a motor vehicle presented to him for examining, the Licensing Officer finds that it conforms to the conditions of fitness and is fit for public use, he shall give a certificate of approval on the application form and then grant to the applicant the relevant licence in respect of the vehicle to which the certificate relates and issue an appropriate sticker accordingly.
- (b) If the Licensing Officer considers that the vehicle does not comply with the conditions of fitness or is unfit for public use, he shall specify the defect on the application form, and the applicant may produce such motor vehicle for re-examination within three months from the date of the first examination. If the motor vehicle at the time of the re-examination still does not comply with the conditions of fitness or is unfit for public use, the Licensing Officer shall so certify on the application form and the Licensing Officer shall endorse the form to the that effect accordingly.

Duration and conditions for grant

11. Every taxi or commercial vehicle licence shall be in the prescribed form and shall be in force until the end of the year in which it was issued unless sooner revoked or suspended and shall be granted subject to the provisions therein specified and subject also to the following conditions: -
- (i) Every licensee or driver shall when so requested by a member of the Police Service or a member of the Guard Unit or Traffic Unit or an authorised Officer of the Assembly produce the licence for examination.
 - (ii) The licensee, if he changes his address during the currency of the licence, shall notify the Licensing Officer within fourteen days from the date of such change and shall at the same time send or deliver the licence to the Licensing Officer who shall endorse thereon the licensee's new address and return the licence to him forthwith.
 - (iii) The licensee shall not alter, deface, mutilate or obliterate the licence by erasure or otherwise.

- (iv) The licensee shall not permit any person to act as the driver of a taxi when it is hired or plying for hire unless such person is the holder of a valid taxi driver's licence issued in accordance with provisions of this Bye-Law or in the case of a commercial vehicle unless such person is the holder of a valid professional driver's licence issued by the Driver & Vehicle Licensing Authority.
- (v) The licensee shall at all reasonable times allow the Licensing Officer or any such person authorized by him to inspect and examine the vehicle.
- (vi) The licensee shall not remove or cancel any notice affixed to the vehicle in pursuance of this Bye-law nor cause or permit any person not authorized by the Licensing Officer to remove or conceal any such notice nor cause or permit any person not so authorized to alter, deface, mutilate or obliterate any notice placed on the vehicle by the Licensing Officer.
- (vii) The licensee shall not knowingly permit the vehicle to be used for any unlawful purpose.
- (viii) The licensee shall keep the vehicle in good repair and order at all times.
- (ix) The licensee shall not cause or permit any object or any printed, written or other matter to appear or be displayed on the outside or inside of the vehicle by way of advertisement without the express approval of the Licensing Officer.
- (x) If the licensee ceases to be the owner of the vehicle to which a licence relates during the currency of the licence, he shall forthwith notify the Licensing Officer and return such licence to him for cancellation before delivering the vehicle to its new owner.

Defaced licence

12. (a) A licence which is defaced or on which there is unauthorized erasure or alteration of any material particular shall be void and the holder thereof ceases to be licensed.
- (b) If any person uses or has in his possession any altered or irregular taxi or commercial vehicle licence or any altered or irregular notice required for the purposes of this Bye-Law, he shall be guilty of an offence.

Renewal

13. (a) The licensee shall no later than fifteen days before the expiration of the period for which the licence in respect of the vehicle was granted deliver up the licence and present the vehicle for renewal thereof.
- (b) If the licensee conforms to the provisions of this Bye-law and the vehicle complies with the conditions necessary for granting of a licence, the Licensing Officer shall renew the licence.

Licence issued to companies

14. Where a licence issued under this Part is held by any person on behalf of a partnership or company, both that person and such partnership or company or as the case may be shall be deemed to be the licensee in respect of that licence and shall as such be liable for any breach of the provisions of this Bye-law or any of the provisions or conditions subject to which the licence was granted.

PART III – TAXI DRIVER’S LICENCE

Age limit

15. A taxi driver’s licence shall not be granted to any person under the age of 18 years and if so granted to any person under that age shall be void.

Taxi/Commercial driver’s licence

16. No person shall driver any taxi when it is plying for hire or conveying any goods or passengers unless he holds a taxi driver’s licence granted in pursuance of this Bye-Law.

Application form

17. Every applicant for a taxi driver’s licence shall apply to the Licensing Authority on the form prescribed for the purpose and provide adequate proof to a committee appointed by the Licensing Officer for the purpose that he has sufficient knowledge of the District and the provisions of this Bye-Law.

Licensing Committee

18. (a) The Licensing Committee shall meet as often as necessary at such time and place as shall be specified by the Licensing Officer.

(b) The Licensing Committee may refuse to approve the grant of a taxi driver’s licence to any applicant and endorse its refusal on the application form if it is satisfied that the applicant is not of good character or has insufficient knowledge of the District or of the provisions of this Bye-Law.

(c) No taxi driver’s licence shall be granted to any person who is not in possession of a current valid professional driving licence issued by the Driver & Vehicle Licensing Authority authorizing him to drive motor vehicles of the class used as taxis and any taxi driver’s licence issued hereunder shall be void if the holder thereof ceases to hold a current valid professional driving licence.

(d) If the Committee on the other hand is satisfied, it shall approve the grant of a licence and the Licensing Officer shall accordingly issue the licence to the applicant.

Form and duration of licence

19. Every taxi driver’s licence shall be in such form as shall be prescribed by the Licensing Authority and shall, unless sooner revoked or suspended, be in force for a period of one calendar year from the date of issue subject to is subsequent renewal.

Production of licence for inspection

20. A taxi driver shall have his licence in his taxi at all times or when appearing before any court, and shall produce it for inspection on demand by a person hiring his taxi, a Police Officer, a member of the Guard Unit or Traffic Unit, or an Officer of the Assembly.

Failing to stop

21. If any holder of a taxi driver’s licence fails to stop or fails to produce his licence when so demanded by a member of the Guard Unit or Traffic Unit or fails to report at the Guards’ offices when so demanded by a member of the Guard Unit or Traffic Unit or an Officer of the Assembly, he shall be guilty of an offence.

PART IV – COMMERCIAL VEHICLE EMBOSSEMENT

Acquisition of Commercial Vehicle Embossment/ Floating Fee

22. Every taxi or commercial vehicle operating within the administrative area of the Mpohor District Assembly shall be required to acquire a commercial vehicle embossment and affix such embossment at a conspicuous place that can be seen.

23. Owners of Commercial vehicles who intend to operate within the District for more than three months shall be required to fix the embossment of the Mpohor District Assembly.

Fees Payable

24. All Vehicle Embossment shall be sold at a prescribed fee as approved by the General Assembly through a Resolution by the Assembly. This fee shall be approved at most three months to the ensuing year of its implementation.

Defaced Embossment

25. A Commercial Vehicle Embossment which is defaced shall be replaced only by the Assembly at a fee as prescribed by the General Assembly through a Resolution by the Assembly.

Form of Vehicle Embossment:

26. All Commercial Vehicles embossment shall be in a form as prescribed by the Assembly and approved by the General Assembly through a Resolution.

PART V – MISCELLANEOUS

Carriage of passengers, luggage, etc.

27. (a) No person, including the driver, shall be carried on any taxi or commercial vehicle in excess of the number of persons which it is licensed to carry, provided that, in computing such number, an infant in arms shall not count as one person.

(b) Not more than one person other than the driver shall sit on the front seat of any taxi, and in such case no luggage shall be carried in the front part of the taxi.

(c) No luggage shall be carried on the roof of any taxi unless it is fitted with a roof rack approved by the Licensing Officer.

Illumination sign

28. When a taxi is provided with means of illuminating a sign bearing the word “Taxi” fitted with the approval of the Licensing Officer, the driver when plying for hire between 6.00pm and 6.00am shall cause the sign to be illuminated.

Fare

29. (a) The fare payable for the hire or use of a taxi or a commercial vehicle shall be in accordance with the rates fixed by the person or institution given such a responsibility by the Assembly or the Central Government.

(b) No driver of a taxi or commercial vehicle shall demand more than the authorized fare nor shall he either before, during or at end of the hiring solicit or in any way bargain for any sum in excess of the said fare.

Loitering

30. Except by reason of accident or other unavoidable cause, no driver of a taxi or commercial vehicle shall cause the same to loiter, and except as aforesaid or in the case of a taxi for the purpose of picking up a passenger, no such driver shall cause such vehicle to stop at any public place elsewhere than a taxi rank, lorry park or parking lot.

Lost items

31. (a) Any person who finds any item or property left in a taxi or a commercial vehicle shall immediately hand it over to the driver.

(b) Any driver who finds any item or property left in a taxi or to whom any such property is handed shall, within twenty-four hours, deposit any such item or property at the offices

or the Guards Unit in the state in which it was found or handed to him and shall truly state the particulars of such finding; provided that if such property is sooner claimed by the owner thereof and satisfactory proof of ownership is given, it shall be restored to the owner forthwith instead of being deposited at a Police Station.

Environmental Offences

32. (1) The Assembly shall, limited only by the national laws, make such regulations as are necessary to contain or avoid pollution of any kind by the operator of any motor vehicle.

(2) Any owner of or person in control of a Taxi/ Commercial Vehicle who:

(a) Pollutes the air; or

(b) Causes noise pollution; or

(c) Contaminates or discharges anything into waterways; or

(d) Destroys or disturbs wildlife or habitats; or

(e) Contributes to climate change; or

(f) Causes any negative impact on human health, agricultural crops and buildings, directly or indirectly: or (g) Causes public nuisance commits an offence.

Towing of Vehicle

33. No vehicle (Private or Commercial) shall tow another vehicle with rope as this may pose danger to other road users. This may constitute an offence. Only registered tow vehicles shall operate in the District.

U-Turn

34. It shall be an offence for any driver to negotiate/use unauthorised turns except designated lanes/routes/turns.

Conveying Fuel and Lubricants

35. No vehicle (Private or Commercial) is allowed to carry fuel/lubricants (petrol or diesel) in large quantities (gallons or dmms) other than trucks registered for such purpose.

Offence and penalty

36. Any person who contravenes any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil action

37. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

38. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

39. In this Bye-Law, unless the context otherwise requires –

“Commercial vehicle” includes any motor vehicle used for commercial purpose other than a taxi, such as buses, vans, tankers, trucks;

“Commercial vehicle licence” means a licence granted in accordance with Part 11 of this Bye-Law;

“Company” includes a company limited or otherwise;

“Licence” means any person to whom a taxi licence, commercial vehicle license or taxi driver’s licence is granted;

“Licensing Officer” means the District Coordinating Director or any person(s) designated by him for the granting of such licence;

“Licensing Authority” means the Assembly or any person or body so authorized by the Assembly;

“Loiter” means to proceed in a street at a slower speed than that which other passenger vehicles would normally be driven in the same street at the same time;

“Public way” includes any highway, market place, lorry park, square, street, bridge or any other way which is lawfully used by the public;

“Taxi” means any motor vehicle designed or constructed to carry not more than five or seven persons or used or intended to be used for carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole or for a fixed or agreed rate or sum;

“Taxi driver’s licence” means a licence granted in accordance with Part III of this Bye-law.

“Taxi rank” means any place designated by the Assembly as a standing place for taxis awaiting hire.

“Officer of the Assembly” means the District Chief Executive, District Coordinating Director, District Works Engineer and District Finance Officer.

FIRST SCHEDULE

(Section 7)

MPOHOR DISTRICT ASSEMBLY APPLICATION FORM FOR TAXI LICENSE

I, hereby apply for a Taxi License on my own behalf/on behalf of as follows:-

A. Particulars of Applicant/Owner

Name:

Address:.....

Nationality:.....

Age:.....

Profession:.....

Voter's Registration-No.:.....

National Identity No.....

B. Particulars of Partnership/Company

Name:.....

Address of Head:.....

Nationality:.....

Address of Local Office:.....

C. Particulars of Vehicle:

Brand:.....

Type:.....

Certificate No.....

Colour.....

Index No.....

D. Particulars of Insurance Policy/Cover Note

Insurer:.....

Policy/Cover Note No:.....

H.P.....

Date of Issue:.....

Date of Expiry.....

I hereby declare that the above particulars are true to the best of my knowledge

Date:..... Signature of Applicant. Examining Officer:.....

Could you please examine the above-mentioned vehicle and report on its suitability for use as a Taxi

..... Date:

Licensing Officer

Co-ordinating Director: Approval is hereby given for the issue of a Taxi License to

..... of Vehicle Index No.:.....for the carriage

of..... persons.

Date:..... Examining Officer:.....

SECOND SCHEDULE

(Section 16)

MPOHOR DISTRICT ASSEMBLY

TAXI LICENSE

License No.:..... Sticker No:.....

I,Licensing Officer of the Mphohor District Assembly licensing Committee authorised to grant Taxi/Commercial Vehicle License under the Mphohor District Assembly (Control of Taxi) Bye-law, 2023 hereby grants to..... a Taxi License in respect of the Taxi with Index

No:.....permitting such vehicle to operate within the area of jurisdiction of the Assembly.

The license is granted subject to compliance by the licensee with the provisions of :

- (i) MpoHOR District Assembly (Control of Tax) Bye-law, 2023.
- (ii) All Ordinances, rules regulations and other laws relating to taxis for the time being in force.

This license shall remain in force from the date hereof until the 31st day of December of the year in which it was obtained unless sooner revoked or suspended.

Date:..... Licensing Officer:.....

Made at a meeting of the MpoHOR District Assembly on the 23rd day of February, 2023.

THIRD SCHEDULE
(Section 8)
MPOHOR DISTRICT ASSEMBLY
APPLICATION FORM FOR TAXI/COMMERCIAL VEHICLE LICENSE

I, hereby apply for a Taxi Driver’s License

PARTICULARS OF APPLICANT

Name:	Height:
Biling Address:.....	Eyes:.....
Residential Address	Mouth.....
Place of Birth	Nose.....
Profession	Complexion:.....
Driving License number.....	Peculiarities:.....

.....Right Thumbprint

I hereby declare that the above particulars are true to the best of my knowledge.

Signature of Applicant

.....

OFFICE USE ONLY

Approval is hereby given for the issue of a Commercial Vehicle Driver’s License to the Applicant whose description appears above.

..... for: License Committee
Commercial Vehicle Driver’s License No.....is here granded to
.....accordingly.

FOURTH SCHEDULE
(Section 10)
(CONTROL OF COMMERCIAL VEHICLE) BYE-LAW, 2023
TAXI/COMMERCIAL DRIVER LICENSE

License No.:.....

I, District Co-ordinating Director of the Mpohor District Assembly authorised to grant Taxi/Commercial Vehicle Driver's License under the Mpohor District Assembly (Control of Taxi) and Commercial Vehicle Bye-law, 2023, hereby grant to a Taxi Driver's License permitting him to drive a taxi/commercial vehicle within the area o jurisdiction of the Mpohor District Assembly.

This license is granted subject to compliance by the holder of this license with the provisions of: -

- (a) The Mpohor District Assembly (Control of Commercial Vehicle) Bye-law,
- (b) All ordinance, rules and regulations relating to taxis and commercial vehicle for the time being enforce.
- (c) The recommendation of the Licensing Committee of the Assembly.

This license shall remain in force one year from the date hereof and shall expire onunless sooner revoked or suspended or renewed.

Fee Paid: GHC Date:.....
District Co-ordinating Director/Secretary

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (LICENSING OF MOTOR CYBICYCLES,
MOTOR BIKES AND TRICYCLES) BYE-LAW, 2023**

In exercise of the powers conferred on the Mphohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mphohor District Assembly (Licensing of Bicycles) Bye-Law, 2023 and shall apply to all towns and villages in the area of administration of the Mphohor District Assembly (hereinafter called “the Assembly”).

Part One (1) — Registration of Motor Cycle

Registration of Motor Cycles

2. Every person who owns a Motor Cycle within the area of authority of the Assembly shall register such Motor Cycle with the Assembly and obtain from the Assembly in respect of that Motor Cycle a Sticker hereinafter referred to as 'Registration Sticker'.

Application Form

3. Every application for the registration of a Motor Cycle shall be made to the Registration Authority on a prescribed form which may be obtained from the Registration Officer at a specified fee and shall be signed by the owner of the Motor Cycle.

Form, Duration of Motor Cycle Registration Sticker

4.
 - a) A Motor Cycle Registration shall be valid as from the date of issue until the 31st day of December each year.
 - b) A Motor Cycle Registration shall be in such fom as the Assembly may determine from time to time for which shall be approved through a Resolution by the General Assembly.
 - c) The Assembly shall keep a register of all Motor Cycle Registration Stickers issued by it and shall specify in the register the name and abode of every person to whom a Registration Sticker has been issued.
 - d) In the case of change of ownership of the Motor Cycle, the Assembly shall be Notified of such changes to update its records accordingly.
 - e) The Registration Sticker shall be affixed at a conspicuous place on the Motor Cycle and shall be inspected on demand by District Guards and or the Police Personnel.
5. A person who owns a Motor Cycclc and fails to Register it with the Assembly and pay the required Registration fees for the Motor Cycle Registration Sticker shall be liable for prosecution.

Offence and penalty

6. Any person who contravenes any provision of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Compensation

7. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Part Two (2) - Licensing of Bicycles, Tricycles and Wheel-Barrows

Hiring of bicycles, tricycle

8. Every person who owns a bicycle, tricycle and or wheel-barrow for commercial purposes within the area of the Assembly shall obtain from the Assembly in respect of that bicycle, tricycle and or wheel-barrow a license hereinafter referred to as 'Bicycle/tricycle/Bicycle License'

Application Form

9. Every application for a bicycle, tricycle and or wheel-barrow license shall be made to the Licensing Authority on a prescribed form which shall be obtained from the Licensing Officer at a specified fee approved through a Resolution by the General Assembly and shall be signed by the owner of the bicycle, tricycle and or wheel-barrow.

Form, Duration of Bicycle, Tricycle and Wheel-barrow License

10. (a) Every person who lets out Bicycle, Tricycle and or Wheel-barrow on hire shall take a license for the purpose and shall pay a yearly fee prescribed by the Assembly through a Resolution.

(b) Every such license shall be required to operate in accordance with conditions specified by the Assembly for the operation of such venture.

Owners of Bicycles, Tricycles and Wheel-Barrows

11. (a) A license shall be valid as from the date of issue until the 31st day of December each year.

(b) A bicycle, tricycle and wheel-barrow license shall be in such form as the Assembly may determine.

(c) The Assembly shall keep a register of all licenses issued by it and shall specify in the register the name and abode of every person to whom a bicycle, tricycle and wheel-barrow license has been issued.

(d) In the case of change of ownership of a Bicycle, Tricycle and or wheel-barrow, the Assembly shall be notified of such changes to update its records accordingly.

License to be Produced on Demand

12. For the purpose of this Bye-law, any person in whose custody, charge or possession or in whose house or premises a bicycle, tricycle and or wheel-barrow is found or seen shall, unless the contrary is proven by him, be deemed to be the person who owns such bicycle.

Badges

13. (a) It shall be the duty of every person who has a bicycle, tricycle and wheel-barrow license to produce and deliver it for examination by either a Police Officer or an authorised officer of the Assembly who demands it.

(b) An officer of the Assembly may demand and conduct on —the-spot inspection on any bicycle, tricycle and or wheel-barrow for the purpose of attaining a license.

Offence and Penalty

14. Any person to whom the bicycle, tricycle and wheel-barrow license has been issued, shall, while the license remains in force keep on the bicycle, tricycle and or wheel-barrow a badge of a type approved by the Assembly, through a Resolution, for use during the year in which the license was issued.

15. Any person who contravenes any provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to an imprisonment not exceeding three months or to both.

Civil Action

16. Any penalty imposed on the offender for an offence or breach provided in this by Law shall be without prejudice to any action that the Assembly may decide to commence.

Compensation

17. In addition to any sanctions imposed by the court on the offender, the court shall also order the payment of adequate compensation in monetary terms to the Assembly to cover expense incurred in the prosecution of the matter in court.

Made at a meeting of the MpoHOR District Assembly on the 23rd day of February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF CARTS) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Carts) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Vehicles to be licensed

2. The owner or any person in possession of every cart, wagon or any other vehicle not propelled by mechanical power and primarily used to convey goods, whether four-wheeled, three-wheeled, two-wheeled or one-wheeled, in use within the District shall pay therefor the prescribed fee and be issued with a licence in a prescribed form in accordance with this Bye-Law.

Inspection of vehicle

3. No licence shall issue hereunder in respect of any vehicle which, in the opinion of the District Engineer or any person authorized by the Assembly in that behalf, is in such a condition as to endanger persons or property and the Engineer or any such other person may at any time examine any vehicle in respect of which a licence had been issued for the purpose is this Bye-Law.

Prohibition of unsafe vehicle

4. If in the opinion of the Works Engineer or any person authorized by the Assembly in that behalf a vehicle is in such a condition as to endanger persons or property he may prohibit the further use of the vehicle until he is satisfied that the vehicle is no longer in that condition.

5. Display of license

Each vehicle for which is a licence is issued under this Bye-Law shall have affixed thereto the number plate assigned to it by the Assembly.

Duration of licence

6. The licence referred to in this Bye-Law shall be yearly or half-yearly and every such licence shall terminate on 30th June or 31st December following as the case may be.

Offence and penalty

7. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

8. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

9. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

LOCAL GOVERNMENT BULLETIN, 23RD FEBRUARY, 2023

Made at a meeting of the Mphor District Assembly on the 23rd day of
February , 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF MILLS) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Mills) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Permit for site and licence

2. (a) No person shall be permitted to keep a mill within the area of authority of the Assembly unless he shall have obtained an approved permit for the site and secured a licence from the Assembly.
(b) The renewal of a licence shall be for six months or one year as the Assembly shall determine.
(c) The fee payable to the Assembly for any licence issued under the foregoing provision shall be an amount fixed by a resolution of the Assembly.

Dimension of premises

3. (a) Any room used as a mill shall not be less than 15 feet long and 12 feet wide and no part of any such room shall be less than 10 feet high.
(b) The floor of every mill shall be of concrete or other impervious material and the walls shall be capable of being washed.
(c) In every mill, adequate lighting and ventilation shall be provided and the surroundings of the mill shall be cleared of weeds and stagnant water, with the doors and windows suitably fly-proofed.

Water

4. In every mill, good drinking water as approved by the Environmental Health Officer or his representative shall be used and the basin for mixing the flour shall be thoroughly washed after use.

Number of persons allowed

5. (a) At any particular moment when the mill is in operation not more than three persons should be allowed in the room and an ante-room should be provided to accommodate not more than five customers at a time.
(b) Children under the age of ten shall not be allowed to enter a mill.

Infected persons

6. (a) No proprietor of a mill or person in charge thereof shall allow any person suffering from an infectious or contagious disease to take part in the grinding or the milling of flour.
(b) All persons working at a mill shall be required to undergo medical examination at a recognized health institution at least once every year.

Use of rooms

7. No premises used as a mill shall also be used as a living or sleeping room.

Obstruction

8. No person shall obstruct or resist any officer or other persons appointed by the Assembly acting or purporting to act in the performance of any duties relating to the purposes of this Bye-law.

Withdrawal of licence

9. The Assembly may in its absolute discretion withdraw any licence issued under this Bye-Law if any alteration is made to any building approved hereunder after the licence has been granted.

Offence and penalty

10. Any person who contravenes or fails to comply with any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a imprisonment not exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil action

11. Any penalty imposed on the offender or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

12. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

13. In this Bye-Law, unless the context otherwise requires –
“mill” means any building fitted with machinery for the purpose of grinding corn, coconut, palm nut, cassava, etc. or where or flour is milled;
“licence” includes an official receipt.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF BAKERIES) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Control of Bakeries) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Permit for premises and licence

2. (a) No premises shall be used for the preparation or baking of bread for sale unless the premises has been approved and an appropriate licence issued by the Assembly in a prescribed form.
(b) No bread shall be prepared or baked for the purpose of sale in any place other than in premises approved by the Assembly.
(c) The fee payable for a licence shall be as fixed from time to time by a resolution of the Assembly.

Conditions for approval

3. No premises shall be licensed for the preparation or baking of bread for sale unless the following conditions have been complied with -
 - (a) Provision of separate and suitable rooms for –
 - (i) the storage of flour and other materials used;
 - (ii) the mixing and kneading of flour and other materials and any necessary temporary storage of any bread mixture;
 - (iii) the storage of finished bread or other products of bakery.
 - (b) Rooms used for storage shall be pest-proof, and shall have adequate lighting and ventilation. All materials stored in the rooms shall be kept from contact with the floor and walls and nothing shall be stored in the room that is not directly connected with the work of the bakery.
 - (c) Rooms used for storage or display or sale of bread shall be provided with sufficient shelves, benches or tables.
 - (d) Bread stored or offered for sale shall be protected from contamination in a manner prescribed by the Environmental Health Officer.

Prohibition of sleeping or smoking

4. (a) No room in the bakery shall be used as a living or sleeping room or for any purpose not directly connected with the baking or bread.
(b) Smoking of cigarette or other narcotic drugs is prohibited in the bakery.

Sanitation

5. (a) Suitable sanitary accommodation shall be provided for the use of persons employed in the bakery and there shall be facilities for the washing of hands.
(b) Person employed in the mixing and kneading rooms shall be supplied with a quality of aprons or overalls capable of being washed.

(c) There shall be suitable and adequate arrangements for the disposal of refuse.

Infectious disease, wounds, etc.

6. (a) Any person suffering from any infectious disease or who has a wound on the hands or arms, discharging ears, or suffers from attacks of diarrhoea or vomiting shall not take part in the preparation or handling of bread or flour or other materials used in the bakery.

(b) The owner of the bakery shall ensure that all persons engaged in the preparation or handling of bread or flour or other materials used in the bakery are medically examined and certified to be fit by the District Director of Health Services at least once every year.

Inspection

7. The District Director of Health Services, the District Environmental Health Officer or such other person as maybe authorized by the District Director of Health Services shall have power to enter any bakery licensed under this Bye-law for the purpose of inspection at any reasonable time of the day, and any person who obstructs such an officer commits an offence.

Revocation of licence

8. The Assembly may revoke any licence granted under this Bye-law if any alteration is made to the premises licensed hereunder after the grant or if the holder of the licence is convicted for any offences created under this Bye-law.

Offence and penalty

9. Any person who contravenes any of the provisions of this Bye-law commits of an offence and shall be liable on summary conviction to a fine of 100 penalty units or to a term of imprisonment not exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

10. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

11. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

12. In this Bye-law unless the contrary requires -

“flour” means wheat flour or flour containing non-wheat substances such as cassava corn. rice;

“bread” means loaves, rolls, cakes, pastries, biscuits and flour confectionery of any kind;

“licence” includes official general counterfoil receipt.

SCHEDULE (Section 2)
MPOHOR DISTRICT ASSEMBLY
(CONTROL OF BAKERIES) BYE-LAW, 2023.

LICENSE TO KEEP A BAKERY

LICENSE is hereby granted to
Of House No.:.....to keep a bakery on the
aforementioned premises or at House No until the
..... day of 20.....

Fee Paid GHC.....

Date:.....

District Co-ordinating Director

Made at a meeting of the Mphohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (CULTIVATION AND SALE OF VEGETABLES)
BYE-LAW, 2023**

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Cultivation and Sale of Vegetables) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Watering and irrigation

2. No crops shall be watered with or irrigated by the effluent from any drain from any premises, or a surface water drain receiving the waste water from any street.

Infected persons

3. No person who is suffering from a discharging wound, sores on the arms or legs or from any symptoms of infectious disease shall take part in the growing or sale of vegetables.

Prohibition

4. The Environmental Health Officer, District Director of Health Services shall prohibit the sale of vegetables contaminated from any source.

Offence and penalty

5. Any person who contravenes any of the provision so this Bye-law commits an offence and liable shall be on summary conviction to a fine not exceeding 100 penalty units or in default to a term of imprisonment not exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

6. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

7. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

8. In this Bye-law, unless the context otherwise requires,
“vegetables” includes lettuce, tomatoes, pepper, radishes, onions, cucumber, water melon and any other vegetables likely to be consumed in an uncooked state.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (CULTIVATION OF FLOWER GARDENS)
BYE-LAW, 2023**

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Cultivation of Gardens) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Cultivation of flower gardens

2. The owner and/or management of every business premises shall cultivate and maintain a flower garden at the open space in front of its premises in such a manner as to enhance the scenic beauty of the neighborhood.

Nature of garden

3. The flower garden required by the preceding paragraph shall cover the frontage and sides of the premises where there are no concrete pavements.

Notice of enforcement

4. The owner and/or management of any business premises who fails to cultivate and maintain a flower garden as required by this Bye-Law shall be notified in writing by the Assembly to cultivate and maintain same within a reasonable time.

Offence and penalty

5. The owner and/or management of any business who fails to cultivate, trim, prune and maintain a flower garden in accordance with the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or in default to a term of imprisonment not exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

6. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

7. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

8. In this Bye-Law, unless the context otherwise requires -
“business premises” refers to any building within which any commercial activity is engaged.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEKU ADJEI
District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (CONTROL OF FIREWORKS)
BYE-LAW, 2023.**

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Fireworks) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Licence for sale of fireworks

2. No person shall sell fireworks either on wholesale or retail within the District without first having taken out a licence from the Assembly for the purpose for any particular year.

Prohibition

3. No person shall notwithstanding the grant of a licence by the Assembly sell any of the following prohibited fireworks-
 - i). fire crackers (knock-outs);
 - ii). display shells;
 - iii). artillery shells;
 - iv). ball and canister shells.

Minors

4. No fireworks shall be sold to a child who is less than six years of age.

Offence and penalty

5. Any person who contravenes or fails to comply with any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

6. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

7. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

8. In this Bye-law, unless the context otherwise requires -
 - “fireworks” means devices which give spectacular effects by use of combustibles;
 - “prohibited fireworks” include fireworks outlawed by the Public Order (Prohibition of Specified Explosives) Instrument, 1999 (E. I. 21) and/or any other applicable enactment currently in force.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEKU ADJEI
District Co-ordinating Director

**MPOHOR DISTRICT ASSEMBLY (USE OF PUBLIC ROADS) BYE-LAW, 2023
BYE-LAW, 2023.**

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the Mpohor District Assembly (Use of Public Roads) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Licence

2. No driver of a heavy-duty truck in transit shall park his vehicle on any public road or place within the area of authority of the Mpohor District Assembly except in areas specified by the Assembly to be park in areas for such vehicles.

Washing Prohibited

3. No driver of a car or vehicle shall wash or clean his car, truck or vehicle on any Public road except in such garage or place equipped for the purpose.

Obstruction

4. No person shall in any way or manner without (lawful excuse or the) approval of the Assembly shall obstruct the public use of road by any member of the public.

Unauthorisation

5. No person or organization or institution shall dig a trench, manhole or make trench or any excavation whatsoever in any road or street without the written consent and subject to the conditions of the engineer for the time being, in charge of the Mpohor District Assembly.

Penalty

6. Failure to comply with this provision shall attract a spot fine of 50 penalty unit or 3-month imprisonment or both. A fine not exceeding 100 penalty unit.

Compensation

7. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

This Bye-law shall apply within the area of authority of the Mpohor District Assembly.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH

Presiding Member

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MR SOLOMON KWEKU ADJEI

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF FIREWORKS) BYE-LAW, 2023

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Government Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-Law may be cited as the Mpohor District Assembly (Control of Building Permit) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

Building permit

2. Every Person shall, before constructing a building or any other structure or undertaking any physical work shall obtain a permit from the District Planning Authority which shall contain such conditions as the District Planning Authority may provide. Or consider necessary.

Notice

3. The District Planning Authority may give notice in writing in the form prescribed in the Third Schedule to an owner, occupier or developer of premises, if the owner, occupier or developer:
 - (a) Is constructing a building or any other structure;
 - (b) Has constructed a building or any other structure; or
 - (c) Is working or executing work without a permit or in contravention of any bye-laws made by the District Assembly.

Notice of order

4. The notice under page (2) and (3) of Act 462 Sec. 61 of this section shall require the owner, occupier or developer on or before a day to be specified in the notice by a statement in writing under his hand or under the hand of an agent duly authorized in his behalf and duly served on the District Planning Authority to show sufficient cause why the building, structure or work should not be removed, altered or pulled down.

Recovery of cost

5. If the owner, occupier or developer, fails to show sufficient cause why the building, structure or other work should not be removed, altered or pulled down, the District Planning Authority shall by notice order the owner, occupier or developer within a specified time to remove, alter or pull down the building, structure or other work at his own expense.
6. If the owner, occupier or developer fails to comply with the order of the District Planning Authority within the specified time, the District Planning Authority may carry out the removal, alteration or pulling down and recover the expense from the owner, occupier or developer, as if it were a debt due from the person to the District Assembly.

Offence

7. Without prejudice to page (2) and (3) of this section, a person who contravenes any bye-law made under sec. 12 of this Act is liable on conviction to a fine not exceeding 100 penalty unit or to a term of imprisonment not exceeding six months or to both.
8. In the case of a continuing offence to a further fine not exceeding GH¢100.00 for each day that the contravention continues after written notice has been served on the offender.

Delegation of Power

9. Delegation of A District Planning Authority may in writing delegate any of its functions function under this part of this Act to a Zonal Council, Urban Council, Town or Area Council or Unit Committee.

Request for Information

10. A District Planning Authority may in writing request any person to information furnish it within such time as may be specified in the request such information as may be required for the discharge of its functions under this Act.

Power of Entry

11. An authorized officer of a District Planning Authority may enter upon any entry land or enter any building in the District to make such inspection, survey, studies, examination or investigation as may be necessary for the performance of the functions of the District Planning Authority under this Act.
12. The authorized officer of the District Planning Authority shall before exercising their powers under page (1) of this section give such notice as he considers reasonable to the owner or occupier.

Penalty

14. A person who without lawful excuse fails to comply with a request for information or furnishes information which he knows to be false commits an offence and is liable on conviction to a fine not exceeding 100 penalty unit or to a term of imprisonment for a period not exceeding three months or to both.
15. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Made at a meeting of the Mpohor District Assembly on the 23rd day of February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (CONTROL OF NUISANCE AND INFECTIOUS DISEASES) BYE-LAW, 2023.

In exercise of the powers conferred on the Mpohor District Assembly by section 181 of the Local Governance Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

19. This Bye-law may be cited as the Mpohor District Assembly (Control of Nuisance and Infectious Diseases) Bye-Law, 2023 and shall apply to the area of administration of the Mpohor District Assembly (hereinafter called “the Assembly”).

General offences

20. The following acts shall constitute offences under this Bye-Law –

- (h) The keeping or harbouring of any animal in any premises in such a manner or in any premises so constructed or so situated, as to cause or is likely to cause such keeping or harbouring injurious to health.
- (i) Any growth of weeds, prickly pear, long grass or wild bush of any sort;
- (j) Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates;
- (k) Accumulation or deposit of articles or things which is detrimental to the amenities of the place, or in respect of which it is certified by an Environmental Health Officer that by reason of its character or situation, it is, or likely to be, injurious or dangerous to health;
- (l) Any work, manufacturing, trade, or business injurious to the health of the neighbours or which is so conducted as to be dangerous to health or likely to be so;
- (m) Any rat-infested house or premises, or any rat-infested part of any house or premises, or rat-hole in any part of any house or premises.
- (n) Causing nuisance in any street, house, pool, ditch, drain, gutter, water course or toilet.

Duty of occupier to keep premises free from nuisance

21. The occupier of any premises or the owner of the premises for the time being unoccupied or if the occupier cannot be found shall keep such premises free from all nuisance; and where any premises abuts a street, the occupier (or owner in the case as aforesaid) shall keep clean and free from all nuisances so much of such street as shall be contiguous to such premises up to the edge of such street, including drain, gutter or channel situated on any such portion of the street.

Duty of Health Officers

22. Environmental Health Officers shall from time to time conduct inspections in order to ascertain if any nuisance exists, and if so, to enforce the provisions of this Bye-law.

Throwing rubbish in the street

23. Whoever in any town or place causes or permits to be placed any carrion, filth, dirt, refuse, or rubbish, or any offensive or otherwise unwholesome matter, on any open space, except at such places as may be set apart by the Assembly for that purpose, commits an offence.

Rubbish deemed to have been deposited by occupier

24. Where an offence has been committed punishable under the preceding paragraph and the offender has not been identified or discovered, the fact of any such refuse or rubbish or other substance mentioned in that paragraph being found in front or at the back or side of any premises shall be prima facie evidence of its having been placed there by the occupier(s) of the premises.

Notice to abate nuisance

25. (a) Whenever an Environmental Health Officer receives information of, or otherwise has reason to suspect the existence of, any nuisance, he shall make or cause to be made an inspection of the premises where such nuisance is suspected to exist, and if he discovers the existence of any nuisance, he may serve a notice on the person by whose act, default, or sufferance the nuisance has arisen or continues, or on the occupier or owner of the premises (as the case may be) requiring him to abate the same. In the case of a nuisance falling within the purview of Clause 2(a) of this Bye-law, the notice may require the occupier or owner of the premises concerned to remove the animal concerned from the said premises.

(b) If a person on whom a notice is served defaults in complying with any of the directives thereof within the date specified therein, or within five days if no date is specified, or fails to satisfy the District Environmental Health Officer that the said nuisance is not likely to recur on the same premises, the officer shall take proceedings before the courts.

Court proceedings

(d) If such Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the Court shall make an Order requiring the person in default to comply with all or any of the directives of the notice, or otherwise to abate the nuisance within the time specified in the Order or such time as the Court may deem sufficient, or an Order prohibiting recurrence of the nuisance, or an Order both requiring abatement and prohibiting the recurrence thereof.

Court to enforce note

(e) Whoever disobeys an Order requiring abatement or prohibiting the recurrence of the nuisance shall, if he fails to satisfy the Court that he has used all due diligence to carry out the Order, be liable to a fine not exceeding 100 penalty units and in case of a continuing offence to a further penalty not exceeding one penalty unit for each day the offence continues after written notice of the offence has been served on the offender.

Power to abate nuisance when owner, etc, not known

(f) Whoever acts knowingly and willfully contrary to an Order of prohibition shall be liable to a fine of 100 penalty units and in the case of a continuing offence to a further penalty of one penalty unit for each day after written notice of the offence has been served on the offender.

Inspection of premises

(d) The District Environmental Health Officer or his assistants may enter the premises to which the Order relates and abate the nuisance and do whatever may be necessary in execution of the Order, and may recover the expenses incurred by them as a civil debt from the person against whom the Order is made.

26. Where the person by whose act or default the nuisance has arisen, or the owner or occupier of the premises upon which the nuisance exists, is not known or cannot be found, then the necessary work of abating such nuisance may be executed under the authority of the Assembly.

27. (a) An Environmental Health Officer or any person or persons authorized by the District Director of Health Services together with any assistant(s) wearing an official badge or token, may enter and inspect any premises at any time between 6.00a.m. and 6.00p.m. for the purpose of examining as to the existence or continuance of any nuisance therein or abating same.

(b) If admission to premises for any of the purposes mentioned in this Bye-law is refused, the District Chief Executive may in writing require the person occupying or having custody of the premises to admit the Environmental Health Officer or any person(s) authorized as aforesaid into the premises between the hours aforesaid ; provided that,

(i) If no person occupying or having custody of the premises is found, the District Chief Executive may authorize the aforesaid persons, or any of them, if necessary, to break into and enter such premises; and any such order shall continue in force until the nuisance has been abated, or the work for which the entry was necessitated has been done;

(ii) If the premises is occupied, the District Chief Executive may seek the Order of the Court to have the said premises broken into for the said purpose.

(c) Whoever without lawful justification refuses admission to any Environmental Health Officer or other person as aforesaid, or obstructs or hinders him from making any such entry for inspection or abatement of nuisance commits an offence.

Overcrowding of premises

28. (a) For the purpose of this Bye-law, a room, hall or passage-

(iii) Used as a dormitory of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least 480 cubic feet of air space for each pupil, any height of over 12 feet being ignored in the calculation;

(iv) Used as a classroom of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least 360 cubic feet of air space and 36 square feet of floor space for each adult, with two children under ten years of age counting as one adult.

(b) Any owner or occupier of any premises on or within which any overcrowding within the meaning of Clause 10(a) takes place shall independently of any other liability which he may have incurred, be guilty of an offence.

(c) In addition to all other powers and facilities provided by this Bye-law or by any other law for the time being in force, for the purpose of ascertaining whether any offence against the provision of this paragraph is being or has been committed in respect of any building or of any part of the building which is or is suspected by the District Environmental Health Officer of being or having been so overcrowded as to be injurious to the health of the inmates, it shall be lawful for a Magistrate or Judge, at his discretion, after duly receiving a sworn information in that behalf from the District Environmental Health Officer, to authorize by an Order under his hand two or more officers who shall be named in such order to enter for the purpose aforesaid into such building between the hours of 6.00 a.m. and 6.00 p.m.

Notice to cleanse and disinfect infected premises

29. (a) Where any Environmental Health Officer considers that the cleansing and disinfecting of any house or part thereof or of any articles therein would tend to prevent or check infectious diseases, it shall be his duty to give notice to the occupier or owner requiring him to cleanse and disinfect such house or part thereof or articles herein.

(b) If the person to whom notice is given fails to comply therewith he shall be liable to a fine of 2 penalty units for every day during which he continues to make default, and the Environmental Health Officer may cause such house or part thereof and articles therein to be cleansed and disinfected and recover the expenses from the occupier or owner in default.

Letting out infected house

30. (a) Whoever knowingly lets, either for hire or otherwise, any house, room or part of a house in which any person has been suffering from any dangerous infectious disorder without having such house, room or part thereof and all articles therein, properly disinfected to the satisfaction of the Environmental Health Officer, commits an offence.

(b) For the purpose of this paragraph, the keeper of any boarding house, hostel or hotel shall be deemed to let for hire part of the house to any person admitted as a guest into such boarding house, hostel or hotel.

Exposure of infected persons or things

31. A person commits an offence who,

- (v) While suffering from any dangerous infectious disorder, willfully exposes himself without proper precautions against spreading the disorder in any street, public place, shop, boarding house, hostel, hotel or public conveyance;
- (vi) Being in charge of any person so suffering so exposes such person;
- (vii) Gives, lends, sells, transmits, or exposes without previous disinfection any bedding, clothes, or other things which have been exposed to infection from such disorder; or
- (viii) Being in charge of a public conveyance shall not immediately provide for its disinfection after it has been used to convey any person suffering from a dangerous disorder.

Order for removal of infected person

- 32. (a) Where any suitable hospital or place for the reception of the sick is provided, any person who is suffering from any dangerous infectious disorder, and is without proper lodging or accommodation or is lodging in a house so overcrowded that, in the opinion of the Environmental Health Officer, his continuance therein may probably lead to the spread of the disorder, may with the consent of the superintending authority of such hospital or place be removed thereto by an order of a Magistrate or Judge.
- (b) Whoever willfully disobeys or obstructs the execution of such an order commits an offence.

Offence and penalty

33. Any person who contravenes or fails to comply with any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Civil Action

34. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

35. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

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

- “Environmental Health Officer”: includes the District Environmental Health Officer, the District Director of Health Services or any other Medical Officer or Environmental Health Officer so appointed by the Assembly for that purpose;
- “house” includes any school;
- “nuisance” means anything or act which is injurious or likely to be injurious to the health of any person(s) or animal(s) and which act could be abated by the assembly or by any person whose act or omission to act causes the said nuisance.

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023.

HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEEKU ADJEI
District Co-ordinating Director

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MPOHOR DISTRICT ASSEMBLY (ABATEMENT OF NOISE) BYE-LAW, 2023

In exercise of the powers conferred on the MpoHOR District Assembly by section 181 of the Local Governance Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

14. This Bye-Law may be cited as the MpoHOR District Assembly (Abatement of Noise) Bye-Law, 2023 and shall apply to the area of administration of the MpoHOR District Assembly (hereinafter called “the Assembly”).

Recording and sale of musical products

15. No audio or video tape, compact disc or other recorded musical products shall be produced, engineered or sold in any place unless such place has been inspected, approved and licensed by the Assembly for the purpose.

Licence

16. Every application for such licence shall be made in writing to the Assembly and every such licence when granted shall be an annual licence and shall expire at the end of that particular year unless renewed.

Fee payable

17. The fee for every such licence shall be as prescribed by the Assembly and no licence shall be granted on the payment of a sum less than the fee prescribed for a whole year.

Provision of sound-proof room

18. In all premises used for the recording, production or selling of musical products, there shall be provided a sound-proof room which shall be equipped with such instruments or gadgets as to eliminate any unnecessary loud noise or nuisance to the public.

Revocation of licence

19. The Assembly in its absolute discretion may withdraw any licence under this Bye-law if any alteration is made to the sound-proof room licensed hereunder after the licence has been granted or if the owner is convicted of any offence under this Bye-law.

Music in night clubs, restaurants, etc., not to cause annoyance to neighbours

20. (a) It shall be unlawful for night clubs, restaurants, drinking bars, salons, hotels and other such outfits to play music the blare of which causes annoyance or disturbance to the neighbours.

(b) Where such music is provided in any such place as mentioned in the foregoing clause, it shall be so provided as to be heard only within the confines of such night club, restaurant, drinking bar, salon or hotel unless otherwise expressly directed by the Assembly.

Standard of noise levels

21. The ambient noise level standards specified in the Schedule hereto or such standards as may be subsequently issued for compliance by the relevant state institution for the purpose in a national legislation shall be applicable to the whole area of authority of the Assembly and shall be observed by all persons or bodies at all times.

Limitation on religious institutions

22. It shall not be an offence under this Bye-law for religious institutions to play music or engage in activities within the permissible noise levels at any approved place provided that play shall not extend beyond 10.00pm.

Permits to be obtained

23. Any person or body wishing to play music for any reason in public beyond 10.00pm shall apply for a permit authorizing such play and whoever does so without a permit commits an offence.

Offence and penalty

24. Any person, establishment or institution which contravenes any of the provisions of this Bye-law or any license granted hereunder commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment to exceeding six months or to both, and in the case of a continuing offence to a further fine not exceeding 2 penalty units for each day that the contravention continues one month after conviction.

Civil Action

25. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

26. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

**SCHEDULE
(Section 8)
AMBIENT NOISE LEVEL STANDARDS**

DESCRIPTION OF AREA OF NOISE RECEPTION	PERMISSIBLE NOISE LEVEL IN Db (A)	
	Day (0600-2200)	Night (2200-0600)
Residential areas with low or infrequent transportation	55	48
Educational (school) and health (hospital, clinic) facilities	55	50
Areas with some commercial or light industry	60	55
Areas with some light industry, places of entertainment or public assembly, and places of worship located in this zone	65	60
Predominantly commercial areas	75	65
Light industrial areas	70	60
Predominantly heavy industrial areas	70	70

Made at a meeting of the Mphor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEKU ADJEI
District Co-ordinating Director

MPOHOR DISTRICT ASSEMBLY (CONTROL OF PUBLIC ROADS & PARKING OF VEHICLES) BYE-LAW, 2023.

In exercise of the powers conferred on the MpoHOR District Assembly by section 181 of the Local Governance Act, 2023 (Act 936), this Bye-Law is hereby made as follows –

Title

1. This Bye-law may be cited as the MpoHOR District Assembly (Control of Public Roads & Parking of Vehicles) Bye-Law, 2023 and shall apply to all public roads within the area of administration of the MpoHOR District Assembly (hereinafter called “the Assembly”).

Unauthorised parking

2. No driver of a heavy-duty vehicle shall park his vehicle on any road or at any place within the District except in areas specified and declared by the Assembly to be parking areas for such vehicle.

Washing prohibited

3. (a) No driver or person in charge of a car, van, bus, truck or any other vehicle shall wash or clean such vehicle on any public road within the District.
(b) Washing of vehicles shall be undertaken in such fuel stations, garages and facilities as are equipped and licensed for the purpose.
(c) Washing of vehicles (Private/Commercial) in and around water bodies/on streets/ on roads is prohibited.

Obstruction

4. No person shall in any way or manner prevent or obstruct the use of a public road by any member of the public except as herein contained or as the Assembly shall expressly direct.

Excavation

5. No person, organization or institution shall dig a trench, man-hole or make any excavation whatsoever in or across any road or street without the written consent and subject to the conditions imposed by the District Works Engineer and/or the District Roads Engineer, including the payment of specified fees.

Litter bins on vehicles

6. No person shall drive a commercial vehicle other than a taxi cab within the District without having on board an approved litter bin.

Littering from moving vehicles

7. There shall be no littering from moving vehicles on public roads and in the event of such littering, the person in charge of the vehicle shall be held responsible therefor unless the contrary is proved by him.

Covering of trucks

8. All truck and other vehicles used for the conveyance of refuse, sand, stones, quarry dust, sawdust, wood waste or such other material within the District shall be appropriately covered to prevent such material flying off such vehicle.

Repair of vehicles

9. No person shall repair a broken down vehicle on a public carriageway or walkway and any such vehicle must be towed away to a garage for the purpose.

No stopping and parking

10. No person in charge of a vehicle shall stop or park the vehicle at any place other than the authorized parking bays or lay-bys sited along public roads.

On-street parking

11. In addition to parking lots, bays and lay-bys, the Assembly may designate specified portions of public roads to be used for on-street parking by motorists who shall pay a specific fee for such duration as may be indicated on the ticket issued therefor.

Clamping and towing of wrongfully parked vehicles

12. In order to enforce compliance of the provisions of this Bye-Law, accredited officials and agents of the Assembly may clamp and/or tow for safe storage vehicles belonging to defaulters until such a time that all applicable fees are paid.

Repainting of houses

13. All houses situated along public roads or streets shall be repainted at least once every five years unless otherwise directed by the Assembly.

Offences

14. A person commits an offence, who –

- (k) Mounts a billboard, signboard, road sign or any other signage without first obtaining the appropriate permit;
- (l) Tampers with the road corridor with the aim of reducing the speed of vehicular traffic without prior approval;
- (m) Blocks a public road without a permit;
- (n) Tips or dumps construction material, firewood or other such material on the road corridor;
- (o) Sells on or obstructs a walkway or road shoulder;
- (p) Tampers with mounted road signs without prior approval;
- (q) Damages or causes or permits his vehicle to damage any road, road furniture or facilities;
- (r) Stops or parks a vehicle at a public place other than an authorized lay-by or park;
- (s) Parks or abandons a broken down vehicle on any public road; or
- (t) Contravenes any of the provisions of this Bye-Law.

Penalty

15. Any person who contravenes or fails to comply with any of the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six (6) months or to both.

16. In addition to any sanctions imposed by the Court on the offender, the Court may also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Civil action

17. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence

Made at a meeting of the Mpohor District Assembly on the 23rd day of
February, 2023

HON. HON. ANTHONY ABUAH
Presiding Member

MR SOLOMON KWEKU ADJEI
District Co-ordinating Director

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**MPOHOR DISTRICT ASSEMBLY (CONTROL OF CEMETERY AND BURIAL)
BYE-LAW, 2023**

In exercise of the powers conferred on the MpoHOR District Assembly by Section 181 of the Local Governance Act, 2023 (Act 936), this Bye-law is hereby made as follows:

Title

1. This Bye-law may be cited as the MpoHOR District Assembly (Control of Cemetery and Burial) Bye-Law, 2023 and shall apply to all public roads within the area of administration of the MpoHOR District Assembly (hereinafter called “the Assembly”).

Control of Cemeteries

2. The Assembly shall build and Control Cemeteries
 - a) The Assembly shall have control and management of all public cemeteries within the areas of its authority.
 - b) The Assembly shall regulate the use of public cemeteries/mausoleums in the District.
 - c) A person shall not operate a private cemetery or burial area unless with a license from the Assembly.
 - d) All Traditional Councils and Stools within the District shall within 6 months of the coming into force of this Bye-law, notify the Assembly of the existence of Stool and Royal Cemeteries and Mausoleums.

Plan of Cemetery

3. The Assembly shall cause a plan of each cemetery or crematorium to be prepared by District Environmental Health Officer and the District Works Engineer in collaboration with the District Physical Planning Officer.
 - i. The plan shall delineate the position of all grave spaces and pathways.
 - ii. The plan shall be kept by the Assembly's medical officer of health; and
 - iii. A copy of the plan shall be kept in the office of the sexton in charge of the cemetery crematorium.

Grave Size and Depth

4. In every Assembly Cemetery the standard grave:
 - i. Shall be 2.438 meters by 1.219 meters.
 - ii. Reserves for infant burials shall be 1.219 meters by 0.914 meter.
 - iii. No grave in a cemetery shall be less than 1.8 meters deep.
 - iv. Each grave space delineated and plotted in the plan under Section 2 of this Bye-law shall be consecutively numbered.
5. Any family or other of a dead person who prefers a grave wider or deeper or both than the standard size as described in Section 4 (I) shall pay additional fee as shall be determined in the Fee Fixing Resolution of the Assembly from time to time.
6. The foundation of a headstone or other memorial in the cemetery that is more than 610 meters above the surface of the ground permitted by the Assembly shall attract a special fee.

Reserved Space

7. In each of the Assembly cemetery a part or parts may be set apart as crematoria where, in the opinion of the Assembly, it is expedient to do so.

- i. Each cemetery may have separate places for infant burials and free burials.
- ii. Each of such graves shall be 1.2 meters by 0.9 meters.

Headstone Infant Burial

8. The foundation of a headstone or other memorial in a cemetery shall not extend more than 0.6 meters below the surface of the ground.

Regulating Home Burial

9.
 - i. All burials shall be at the public cemeteries, stool cemeteries and / or Royal Mausoleum.
 - ii. No person shall bury or cause to be buried deceased person in a dwelling place, home or in a place where the Assembly has designated as a residential area.
 - iii. Despite the prohibition in Section 9 (i) above and in this Bye-law, a person may apply to the Assembly to bury a deceased relative in a home or residential area.
 - iv. The Assembly shall on an annual basis provide guidelines for the process for approving home burials.
 - v. The Assembly shall not provide approval for the burial of a deceased person in a home unless in accordance with the guidelines issued by the Assembly.

Burial Fees

10. a. No free burials shall be allowed without the written authority of the Assembly which shall specify the reasons why free burials may be permitted.
- b. The Assembly shall in accordance with its fee fixing resolution, stipulate fees payable for graves, grave space and vaults.
- c. No fee or free burial shall be allowed without the authority of the District Chief Executive.
- d. The Authority given under Section 10 (c) shall be in writing and the reasons for the fee or free burial stated therein.

Time for Burial

11. a. No burial shall take place in any Assembly cemetery except between the hours of 8:00 am and 5:00 pm
- b. The burial of a stool family may take place as custom demands.
12. A fee for grave space and vaults in Assembly cemetery shall be payable at the rate fixed by resolution of the Assembly.

Nuisance and Responsibilities

13. (a) No person shall commit any nuisance in a cemetery or crematorium.
- (b) Persons or organization to whom any portion of the cemetery had been allocated for burial of their dead persons shall be responsible for the management control and sanitation of those portions of the cemetery and may be required to pay an annual fee.

Application

14. a. No burial shall be allowed without a permit issued by the Authority's Medical Officer of Health.
- b. There shall be an application for a permit for the burial of a person in a Stool Cemetery of Royal Mausoleum.

- c. Such applications shall be accompanied by d written consent of a Head of Stool or a Head of a Royal Family.
- d. No permit shall be issued in respect of sub paragraph (3), without such consent.
- e. Where there is no head under sub paragraph (3), the president of the Traditional Council shall give his consent.

Register of Burials

15. The Environmental Health Unit or Department shall be in charge of a cemetery shall keep a register of all burials.

Regulation of Embalmmment

16. (i) A person shall not embalm a dead body unless in an authorized health facility.
(ii) No person shall embalm or cause to be embalmed a dead body at a home or a residential place.
17. a. A person shall not own, manage or operate a crematorium in the District unless that person has obtained a license from the Environmental Health Officer of the Assembly.

Regulation of Cremation

- b. No cremation shall be undertaken in the District unless at a licensed crematorium.
- c. The Assembly shall issue annual guidelines for the regulation and management of a crematorium in the District.

Exhumation Prohibited

18. No person shall exhume or cause to be exhumed the dead body of any person within the District without the authorized permission of the Assembly.
19. Where the Assembly has to relocate a corpse from a home, authorized burial place or due to a breach of this Bye-law, the person or group of person in charge of the corpse at the time will be surcharged with the cost of the relocation to a mortuary.

Power of the Assembly

20. (a) The legality or otherwise of a cemetery shall be determined by the Assembly whose decisions shall be final.
(b) No person or organization other than the Assembly or an Environmental Health Officer may hinder the burial of the dead body of any person at a cemetery or lay down conditions to do so.
(c) Any person or organization other than the Assembly or Environmental Health Officer who interferes with any procession for the purpose of the burial of a dead body in a cemetery commits an offence.
(d) No burial of the dead body of a person in a cemetery shall be discriminated against on any grounds other than health and sanitation.
21. Any Bye-law governing cemeteries that are in existence immediately before the coming into force of this Bye-law is hereby revoked.

Revocation Offence and Penalty

22. Any person who contravenes any of the provisions of this Bye-law commits 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 to a term of imprisonment not exceeding three months or to both.

Civil Action

23. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.

Compensation

24. In addition to any sanctions imposed by the Court on the offender, the Court shall also order payment of adequate compensation in monetary terms to the Assembly to cover the expenses incurred in the prosecution of the matter in Court.

Interpretation

25. In this Bye-law, unless the context otherwise requires -
"Cemeteries" include public and stool cemeteries as well as Royal Mausoleum.

SCHEDULE

(Section 14)

MPOHOR DISTRICT ASSEMBLY

Register of Burial in District Assembly Cemetery
at.....
Name of person burial (Surname first)
State of stillborn or nameless
Date of burial Registry Office
Grave space granted
Date on which grave space was granted
Name of grantee

.....
District Environmental Health Officer

Made at a meeting of the Mphohor District Assembly on the 23rd day of
February, 2023.

HON. HON. ANTHONY ABUAH

MR SOLOMON KWEKU ADJEI

Presiding Member

District Co-ordinating Director

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