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This Bye-law may be cited as the Tamale Metropolitan Assembly Bye-laws, 2018 and shall apply to the area of administration of the Tamale Metropolitan Assembly (hereinafter called "the Assembly").

TAMALE METROPOLITAN ASSEMBLY (CEMETERIES) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Control of Cemetery

1.1 The Assembly shall have the control and management of all Cemeteries within the Metropolis

Plan of Cemetery

1.2 The Assembly shall cause a plan of all cemeteries within its jurisdiction to be prepared by a licensed Surveyor or Survey and Mapping Division, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the sexton-in-charge of the cemetery.

Infant/Free

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

Grave Space

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

Depth of Grave

1.5 No grave shall be less than 1.2 metres deep.

Register of Burial

1.6 Each grave space delineated and plotted in the plan for in these Bye-laws shall be numbered and the sexton-in-charge of the said cemetery shall cause a Register of burial to be kept in the form shown in the schedule to these Bye-laws.

Vaults

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

Head Stones

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

Restrictions

1.9 No burial shall be allowed without a permit issued by the Assembly

1.9.1 It shall be the Prerogative of the MCE or his accredited representative to issue written authority for burials.

1.9.2 No burial should be done at home or other place except designated places for burials.

Permits

1.10 No burial shall be allowed without the written authority of the MCE, or his representative which written authority shall specify the reason why free burial is permitted in each case.

Hours of Burials

1.11 No burials shall take place in any cemetery within the jurisdiction of Tamale Metropolitan Assembly between the hours of six O'clock in the evening (6:00 pm) and 6:30 in the morning (6:30 am) save with the written authority of the Metropolitan Chief Executive.

Fee

1.12 Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly.

Free Burials

1.13 The Metropolitan Chief Executive may exempt any burial from fee Payment

Nuisance

1.14 No person shall commit any nuisance in a cemetery.

Penalties

1.15 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one (100) penalty units and not more than two hundred and fifty (250) penalty units or to a term of Imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Revocation

1.16 The Tamale Metropolitan Assembly (Cemetery) Bye-laws 2007 is hereby revoked

SCHEDULE

REGISTER OF BURIAL IN ASSEMBLY CEMETERY:.....

NUMBER:.....

NAME OF PERSON BEING BURIED:.....

DATE OF BURIAL:.....DATE OF DEATH:.....

GRAVE SPACE GRANTED:.....

DATE ON WHICH GRAVE SPACE WAS GRANTED:.....

NAME OF GRANTEE.

SIGNATURE OF SEXTON.....

TAMALE METROPOLITAN ASSEMBLY (CLEANSING) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Unauthorized

- 2.1 Unless authorized by the Assembly, no structure(s) shall be built or attached to any house, bar or restaurant beyond the space of the plot as provided by the site plan or scheme of the area.
- 2.1.2 The Assembly may order the destruction or removal of any unauthorized structures attached to any house, bar or restaurant which contravenes paragraph 2.1 above
- 2.1.3 Where packing cases are arranged in front of a building in such a way that
 - (a) They constitute a danger or obstruction to any person; or
 - (b) They provide accommodation of a sort for a person, animal or thing they shall be removed without notice.

No Person shall Park Vehicle, etc.

- 2.2 Any person who:
 - (a) Parks a Vehicle, Motorcycle or Tricycle: or
 - (b) Packs goods or other thing; in any public pathway, pavement or place a “NO PARKING” sign post is erected commits an offence.
- 2.2.3 A person who commits an offence under this section is liable to pay a spot fine fixed by a fee fixing resolution of the Assembly.
- 2.2.4 Where a person required to pay a spot fine under section 2.2.3 fails/refuses to do so the Assembly shall impound the vehicle, goods or thing and move same to a premises owned by the Assembly after which the owner shall be prosecuted and punished in accordance with the provisions of section 2.10 of these Bye-laws.

No Posters, Bills etc. at unauthorized places

- 2.3 No posters, bills, placards, paper sheets or other materials used for advertisement shall be posted, stuck on any wall, tree or fixtures other than:
 - (a) Space specifically provided by the Assembly for such purposes; or
 - (b) Any space authorized by the Assembly for such use
 - (c) Property owned or otherwise possessed or occupied by the advertiser

2.3.1 This paragraph shall not apply to advertisement or posters for directions or other occasions initiated by the Government of Ghana.

No litter, etc. shall be thrown into a Gutter or Drain,

2.4 Any person who throws litter/refuse or other matter which may cause nuisance may cause nuisance or block the water passage provided by a gutter or drain commits an offence.

Obstructing a Teacher, Pupil

2.5 Where the Assembly acting upon its powers appoints a Health/Environment Day, any person who on the Health Day Obstructs:

- (a) Any pupil or teacher of any school; or
- (b) Any person, authorized to cleanse any area of the Assembly commits an offence and is liable on Summary Conviction to a fine of not less than one hundred (100) penalty units and not more than two hundred penalty units or to a term of imprisonment of not less than six months and not more than ten (10) months or to both the fine and imprisonment.

No bottles Packing

2.6 No bottles, empty cases, parts of vehicle or derelict vehicle case etc. shall be place, packed or allowed to cause obstruction to traffic or other users of the road, be an eyesore or cause unpleasant scene to the public.

Frontage of building to be cemented etc.

2.7 The frontage of every commercial or industrial building and its gutters shall be:

- i. concreted, cemented or otherwise solidly paved, and kept clean
- ii. or slabbed/culverted by the owner or occupier to the satisfaction of the Assembly's engineer.

2.7.1 Where the owner or occupier of a commercial or industrial building does not comply with the provision of sub-section 2.7 and of these Bye-laws the Assembly shall do so and recover the cost from the owner or occupier of the building concerned in addition to a fine not less than 100 penalty units.

2.7.2 Owners or occupiers of stores, shops, stalls, and market spaces shall keep their frontage and environment clean and clear of litter, rubbish, filth, or pools.

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

Nuisance

2.8 Any person who for the purpose of his/her trade, vocation or other business causes smell or other nuisance to the detriment of his/her neighbor or the public, commits an offence.

No liability Against authorized Persons

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

Penalty

2.10 Save where a penalty is expressly specified herein, any person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Interpretation

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

- i. "*Building*" means any structure whatsoever and includes stalls kiosk, metal containers restaurants and bars
- ii. "*Goods*" includes things and articles of any kind.
- iii. "*Vehicles*" includes trucks, cranes, lorries, cars, motor cycles, tricycle, bicycles, carts and wagons.
- iv. "*Frontage*" includes verandah and porch, and
- v. "*Road*" includes street, kerb, pavement, side walk, footpath.

Revocation

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

TAMALE METROPOLITAN ASSEMBLY (ABATEMENT OF NUISANCE) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Abatement Notice

- 3.1 Where the Assembly is satisfied that a nuisance exist, it shall serve a notice (in these Bye-laws referred to as "Abatement notice) on the person by whose act, default or sufferance the nuisance exists, continues, or if, that person cannot be found the owner or occupier of the premises on which the nuisance arises.
- 3.1.2 An abatement notice shall require the person on whom it is served to abate the nuisance and to execute such works and to take such steps within such period as may be specified in the notice
- 3.1.3 Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises the Assembly may itself take such steps as may be required to abate the nuisance and to prevent a recurrence thereof.

Complaint

- 3.2. If the person on whom an abatement notice has been served makes default in complying with any of the requirements of the notice or if the nuisance although abated since the service of the notice, is in the opinion of the Assembly, likely to re-occur on the same premises, the assembly shall cause a complaint to be made to a court of competent jurisdiction for summons to be issued requiring the person to appear before such court.
- 3.2.1 Where any person is aggrieved by the existence of any nuisance such person may make a complaint with regard to such nuisance to a court of competent jurisdiction for summons to be issued requiring the person by whose act, default or sufferance the nuisance arises or continues to appear before such court.

Nuisance Order

- 3.3 Where on the hearing of a complaint made on non-compliance with an abatement notice it is proved that the nuisance exists, or that although abated it is likely to reoccur on the same premises, the court shall make an order for any of the following purposes:
- (a) An abatement order requiring the defendants to comply with all or any of the requirement of the Abatement notice, or otherwise to abate the nuisance within a time specified in the order and to execute any works necessary for that purpose.
 - (b) A prohibition order prohibiting a recurrence of the nuisance and requiring the defendant within a time specified in the order to execute any works necessary to prevent a recurrence.
 - (c) A closing order, prohibiting the use of the premises for human habitation provided that a closing order shall be made only if the court is satisfied that by reason of the nuisance, the premises are unfit for human habitation.
- 3.3.1 Where on the hearing of a complaint made on non-compliance with an abatement notice it is proved that the alleged nuisance existed at the date of the making of the complaint, the court may order the defendant to pay the Assembly such reasonable sum as the court may determine in respect of the expenses incurred by the Assembly in, and or in connection with the making of the complaint and the proceedings before the Court.
- 3.3.2 When it appears to the Court that the person by whose act, default or sufferance the nuisance arises or the owner or occupier of the premises cannot be found, the nuisance order may be addressed to and executed by the Assembly.
- (a) On the hearing of a complaint, the Court may in addition to making a Nuisance order impose a fine not exceeding the limit prescribed in these Bye-laws.
 - (b) Any person who fails to comply with the abatement order shall, unless he proves that he has used all due diligence to carry out the order, be liable to such fine and such daily penalty for every day on which the offence continues not exceeding the limit prescribed in these Bye-laws.

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

Proceedings

- 3.4 Where a nuisance appears to be wholly or partly caused by the act or default of two or more persons, the Assembly may, in its discretion institute proceedings against one or all of them; and one or more of the persons proceeded against may be order to abate the nuisance for as far as it appears to the court to be caused by his or their acts or default, or may prohibit from continuing any acts or default which in the opinion of the court, contribute to the nuisance or may be fined or otherwise punished and the costs may be apportioned as the court may deem fair and reasonable.
- 3.4.1 Where some or any of the persons, by whose acts or defaults a nuisance has been caused, have been proceeded against they may, without prejudice to any other remedy, recover in a summary manner, from the other persons who were not proceeded against, a proportionate part of the costs of and incidental to the proceedings and the abatement of the nuisance and of any fine or costs ordered to be paid in the proceedings.

Abatement of Nuisance by the Assembly

- 3.5 Where a Nuisance Order has not been complied with, the Assembly may abate the nuisance and do whatever may be necessary in execution of the order.
- 3.5.1 Any expenses reasonably incurred by the Assembly in abating, or preventing the recurrence of a nuisance in respect of which a Nuisance Order has been made may be recovered by it from the persons against whom the order was made.
- 3.5.2 Where the assembly proceeds to recover such expenses as aforesaid the court may apportion the expenses between persons by whose acts or default the nuisance was caused in such manner as the court may deem fair and reasonable

Nuisance Arising

- 3.6 Where a nuisance within the Metropolis appears to be wholly or partly caused by some act or default committed or taking place outside the Metropolis, the Assembly may initiate proceedings in a Court of law to abate the nuisance. Provided that the proceeding may only be taken before a court having jurisdiction in the place where the act or default is alleged to be committed.

Abatement of Nuisance

- 3.7 Without prejudice to the preceding Bye-laws, where the requirement of an Abatement notice have not been complied with the Assembly may abate nuisance.

Penalty

- 3.8 Any person who fails without reasonable excuse (proof of which shall lie on such person) to comply with any of the requirements of an abatement notice served on him commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than ten months and to a further fine of not more than one penalty unit for each day on which the offence is continued after written notice of the offence has been served on the offender.

Interpretation

- 3.9 In these Bye-laws unless the context otherwise requires "Nuisance" includes:
- (i) Any premises in such a state as to be injurious to health, life and property.
 - (ii) Any animal kept in such a state as to be injurious to public health and safety.
 - (iii) Any accumulation or deposit which is injurious to health, and:
 - (iv) Any dust or effluvia caused by any trade, industry and being injurious to the health of the inhabitants of the neighborhood

Revocation

- 3.10 The abatement of Nuisance Bye-laws, 2007 is hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (BILLBOARDS AND SIGNBOARDS) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

License

- 4.1 No person shall erect, site or hang a Billboard or signboard within the area of authority of the Assembly unless he first obtains a license from the Assembly.
- 4.1.1 The license shall be valid as from the date of issue until the 31st day of December of the year in which it was granted, but in the case of a banner or Signboard for an occasion the licence shall expire after the period specified.
- 4.1.2 The license shall be granted upon the payment of a fee to be fixed by Resolution of the Assembly.

Dilapidated Billboards and Signboards

- 4.2 Billboards and Signboards that have become dilapidated or expire with time shall either be removed or replaced by their owners.
- 4.2.1 Where owners of dilapidated or expired bill or signboards take no steps to either remove or replace same the Assembly may on its own order its removal and thereafter recover the cost of such removal from the defaulting owner.

Directional

- 4.3 The Assembly reserves the right to determine the area or junction that is suitable for the erection of one or more reflector or directional signboards.
- 4.3.1 In order to avoid a cluster of directional signboards in an area the Assembly may order the affected persons to provide one general directional signboard to accommodate the lot.
- 4.3.2 The Assembly shall remove individual or company sign boards if the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling to pieces.

Penalty

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

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF MANUFACTURE OF CHARCOAL) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are made:

Prohibition of Manufacturing of Charcoal

- 5.1 It shall not be lawful for any person to manufacture charcoal by burning in the area of authority of the Assembly unless he obtains from the Assembly a license to do so.
- 5.1.1 For the avoidance of doubt, the Assembly may grant such License subject to such conditions as the Assembly may deem fit for the purpose of making the burning environmentally safe.

Restriction on the Sale of Charcoal

- 5.2 No person shall sell charcoal in the area of authority of the Assembly unless he obtains from the Assembly license to do so.
- 5.2.1 Any license granted under sub-section (5.2) of this section shall be granted upon such conditions and the payment of such fee as the Assembly may by resolution determine and shall expire on the 31st December, of the year in which it was issued.

Penalty

- 5.3 Any person who contravenes any provision of these Bye-Laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than then six months and not more than twelve months or to both the fine and imprisonment.

TAMALE METROPOLITAN ASSEMBLY (HERBALISTS) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-Laws are hereby made:

License

- 6.1 No herbalist shall practice within the area of authority of the Assembly unless he first:
- (a) Registers with the Ghana Psychic and Traditional Healing Association; and
 - (b) Register with the Assembly's Medical Officer of Health
 - (c) Obtain license from the Assembly.

Duration of License

- 6.2 A herbalist license issued under these bye-laws shall be valid for one year from the date of issue.

Sanitary Condition of Herbalist's Premises

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

Inspection of Premises

- 6.4 An Officer duly authorized by the Assembly may enter and inspect the sanitary condition of a herbalist's premises and may request him to produce his license for inspection.

Revocation of License

- 6.5 Where a herbalist has been convicted on two occasions of an offence involving dishonest or improper conduct as a herbalist, or where He/she repeatedly fails to maintain good sanitary conditions in his premises; the Assembly may revoke his license.

Penalty

- 6.6 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment and to a further fine of not more than one penalty unit for each day on which the offence is continued.

Revocation

- 6.7 Any (Herbalists) Bye-laws in existence immediately before the coming into effect of these Bye-laws are hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (SANITATION) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Disposal of Refuse

- 7.1 Where the Assembly has set aside a place for the disposal of refuse no person shall place, cause or permit to be placed any carrion, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or open space within the jurisdiction of Tamale Metropolitan Assembly.

Removal of Weeds and Rubbish

7.2 If any offender under sub-section (7.1) of this section has not been identified or discovered the existence of any carrion or other substance mentioned in the said section found close to any building shall be presumed to have been placed by the owner or occupier thereof.

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

Nuisance Prohibition

7.3.1 No person shall cause nuisance in any public or open space.

7.3.1 It shall not be lawful for any premises or space to be used for purposes which will create Public nuisance.

Food Wrappers

7.4 No food seller shall serve food in any container or package unless due care is taken to make sure that such a container or package is hygienic.

Prohibition of Deposits in a Gutter

7.5 No person shall deposit litter, refuse or other matter which may cause nuisance or block the passage provided for a gutter or drain.

Penalty

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

Interpretation

7.7 In these Bye-laws unless the context otherwise requires "Nuisance" includes:

- (a) Any pool, ditch, eaves-gutter, water course, hole, pond, tank-privy, urinal, cesspool, drains or KVIP which is in such a bad state as to constitute a health hazard
- (b) Any animal so kept as to be injurious to health;
- (c) Any accumulation or deposit of excreta or urine or things which are or are likely to be injurious to health.
- (d) Any premises in such a state of disrepair as to be dangerous to the health of man or livestock.
- (e) Any growth of weeds, prickly pear, long grass or wild bush of any sort.
- (f) Any work, manufacturing, trade or business that is or likely to be injurious to health of neighbours.
- (g) Any well, pond or tank, the water of which is tainted with impurities as to be injurious to the health of man or livestock. "*Occupier*" shall where the building is not in actual occupation include the owner thereof.

Application

7.8 These Bye-laws shall apply within the area of authority of the Tamale Metropolitan Assembly.

Revocation

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

**TAMALE METROPOLITAN ASSEMBLY (RESTAURANT, AND EATING HOUSES OR CHOP BARS)
BYE-LAWS, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these By-laws are hereby made:

License

8.1 Individuals and organizations shall apply for license from the Assembly before they operate restaurants, eating place or chop-bars.

8.1.1 No place shall be used as a restaurant or eating house unless it has been approved and licensed by the Assembly.

- 8.1.2 Every license (which in every case shall be subject to such conditions as the Assembly may impose) shall be a yearly license and shall take effect from the date on which it is granted and it shall determine on the last day of the year in which license is issued.
- 8.1.3 Such licence may be renewed for a period of six months or one year as the Assembly shall determine.
- 8.1.4 Every license granted shall be personal to the licensee only and shall not be transferable.

Provision of Separate Eating House and Kitchen

- 8.2 In all premises used as a restaurant or eating-house there shall be provided:
- A separate room which shall be used solely as a public eating room
 - A separate kitchen which shall be used solely for cooking and for the preparation of food and liquid refreshment for use in the restaurant or eating house.

Requirement as to Public Eating Room

- 8.3 Any room used as a public eating room in any restaurant shall not be less than five metres long, four metres wide and four metres high.
- 8.3.1 The floor of every public eating room shall be of concrete or other impervious material and the wall shall be capable of being washed.
- 8.3.2 In every public eating room adequate lighting and ventilation shall be provided.

Requirement of Kitchen

- 8.4 Every kitchen in a restaurant or eating house shall be of an approve type with a concrete floor, and in every such kitchen suitable fly-proof storage for food stuffs shall be provided together with one or more tables for the preparation of food.
- 8.4.1 In every such kitchen adequately covered receptacles for the disposal of refuse shall be provided and maintained by the licensee.

Personnel

- 8.5 Employees clothing: Employees engaged in preparing, handling and serving food shall be in clean clothing and of a style approved by the Assembly.

Medical Examination

- 8.6 Any person engaged in the preparing handling and serving of food shall undergo Medical Examination and be certified as medically fit to conduct such business by the Metropolitan Director of Health Service or his representative.
- 8.6.1 Such certification shall be undertaken periodically as shall be directed by the appropriate medical authority.

Washing of Plates, etc.

- 8.7 In connection with every eating house or restaurant suitable arrangements shall be provided by the licensee for the washing of plates and utensils.

Drainage

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

Cleaning

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

Infected Person

- 8.10 No proprietor of a restaurant or eating house or any person suffering from any infectious or contagious disease shall take part in the preparation or in connection with the restaurant or eating house.

Nuisance

- 8.11 Animals or fowls likely to cause nuisance shall not be kept in the compound of any restaurant or eating house.

Obstruction

- 8.12 No person shall obstruct or resist any officer or any other person appointed by the Assembly who is acting in the performance of duties under these Bye-laws or any other law for the time being in force.

Withdrawal of Licence

8.13 The Assembly in its discretion may withdraw any licence under these Bye-law if any alteration is made to any premises licensed thereunder or if the licensee is convicted under these Bye-laws.

Offence

8.14 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

Interpretation

8.15 A restaurant, eating place or chop bar includes any place where food is prepared and served; liquid refreshment is provided on the premises on commercial basis.

8.16.1 The Assembly or TaMA refer to the Tamale Metropolitan Assembly.

Repealed

8.17 The Tamale Metropolitan Assembly (Restaurant and Eating House or Chop Bars) Bye-laws 2007 are hereby repealed.

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF TREES) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made:

Prohibition

9.1 (1) No person shall cut down any tree in the Tamale Metropolis unless he first obtains a permit in writing to do so from the Assembly or with the written permit of the Forestry Commission in the case of concessions.

9.1.1 A permit granted under these Bye-laws shall expire on the 31st December of the year in which it is granted

Trees to be Replanted

9.2 A person who is granted a permit under these Bye-laws to cut a tree shall replant a tree of the same or similar specie within 2 days at the spot or in the vicinity where the tree is cut.

Fees

9.3 The fee payable to the Assembly for the permit shall be an amount fixed from time to time by resolution of the Assembly.

Offence

9.4 Any person who contravenes any provision of these Bye-Laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than eight months or to both the fine and term of imprisonment.

Application

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

Revocation

9.6 Any Bye-laws on control of trees in existence within the area of Authority of the Assembly immediately before the commencement of these bye-laws are hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF CATTLE POUNDS) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Seizure of Unattended Cattle

10.1 Any person authorized by the Assembly who finds any cattle at large in a public place of the Metropolis without any public person in charge thereof may seize and impound such cattle in the place set aside by the Assembly for that purpose.

Prohibition

10.2 The rearing and/or the keeping of cattle in any premises or in any part of the Metropolis otherwise than for immediate slaughter or in such public place as the Assembly may provide for that purpose, is forbidden and any cattle kept in contravention of these bye-laws may be seized by any person authorized by the Assembly and placed in a pound provided by the Assembly.

Cattle to be Kept by Permit

10.3 Notwithstanding paragraph 2 of these Bye-laws, a person may keep animals within the area of administration of the Assembly for domestic, religious or customary purposes upon the condition that the animals:

- (a) Are kept in a pen which is well maintained and always kept clean; and
- (b) Do not constitute a nuisance by such keeper or noise to neighbours; and
- (c) Are attended to by veterinary Officers or assistants and that owners are to ensure that the sanitary rules specified by the Assembly are maintained.

Detention of Cattle

10.4 Where any Officer, agent, or servants of the Assembly impounds cattle under Section 10.1 of these Bye-laws:

- (a) The Assembly shall not be liable for any cattle that may die after it has been impounded.
- (b) The owner of any impounded cattle may retrieve it upon conditions as may be determined by the Assembly.

Owner of Cattle to Pay Fee

10.5 Any cattle placed in a pound may be detained there until the owner pays to the Assembly fees covering the impounding and the maintenance of the cattle.

Penalty

10.6 Any person who contravenes any provision of these Bye-laws commits an offence and is be liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

Interpretation

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

“Cattle” includes cow, horse, sheep, goats and pigs

Revocation

10.7 Any Bye-laws on cattle pounds in existence within the area of authority of the Assembly immediately before the coming in force of these Bye-laws are hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF HAWKERS) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Hawkers to Obtain License

11.1 No person shall operate as a hawker unless he obtains upon application a license from the Assembly.

11.1.1 The license shall be in such form as the Assembly shall determine and shall be issued subject to such conditions as the Assembly may deem fit including the following:

- (a) A hawker shall not sell, offer or exhibit goods other than those in respect of which license has been granted and which are specified in writing therein.
- (b) A hawker shall not erect any stall or any other structure in any public place for the purpose of his trade or any business without the written consent of the Assembly.
- (c) A hawker shall not obstruct or impede the free movement of vehicular or pedestrian traffic.

Application to Contain Particulars

11.2 Every application for a license shall be made in writing and shall contain particulars of the goods which the applicant wishes to sell.

Duration and Fees for Licenses

11.3 A license issued under these bye-laws shall expire on the 31st December, of the year in which it is issued.

11.3.1 A license shall be issued on the payment of such fees as may be fixed by resolution of the Assembly.

Hawkers not to Sell in Public Place

11.4 No hawker shall sell or offer for sale anything in the places specified in the schedule to these Bye-laws.

Hawkers to Produce License on Demand

11.5 Every hawker shall produce for inspection a license granted under these Bye-law upon demand made on him/her by a person authorized by the Assembly

11.5.1 Any person who fails or refuses to produce the license commits an offence.

Responsibility to Maintain the Place Clean

11.6 An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site and he/she shall at the close of each day thoroughly clean his/her place or selling site and sweep all rubbish from the space of selling and its surroundings and place the rubbish in the dustbins provided for the purpose and thoroughly wash away all stains and marks whether of fats, oil, grease or any other kind.

Food for Sale to be raised from the ground

11.7 No occupier of any space or selling site shall offer for sale any bread, prepared grain food or any other articles of food, unless the articles are placed on a table or support raised one metre from the ground.

Food for Sale to be Protected from Dust and Flies

11.8 No article which is likely to be used for human consumption, shall be exposed to dust or flies and shall be disposed of in such a manner as will not satisfy the sanitation rules imposed by the Assembly Environmental Health Officers.

Prohibition

11.9 A person of unsound mind or any leper or person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market.

11.9.1 No occupier of any space or selling site shall bring to any street, any box, basket or other containers and he shall desist at all times from placing wares in the pathways or avenues of the market.

Penalty

11.10 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not exceeding ten months or to both the fine and imprisonment.

Interpretation

11.11 In these Bye-laws unless the context otherwise requires – “*a hawker*” means any person who sells or offers or exposes for sale, goods of any description in a place other than a recognized market or in his dwelling house or shop and includes an assistant employed by such person.

Revocation

11.12 Any Bye-laws on control of Hawkers in existence within the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

Schedule

- 11.13 The schedule in this Bye-law include
- (1) Pavements of Principal Streets in the Metropolis
 - (2) Frontage of stores
 - (3) Pedestrian – walks
 - (4) Such areas as the Assembly from time to time so determine.
 - (5) Median of the Principal Street in the Metropolies

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF DOGS) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these bye-laws are hereby made:

License for Dog Keeping

12.1 No person shall keep any kind of dog or bitch unless he applies for and obtains a license from the Assembly to do so.

12.1.1 The Assembly shall before granting a license satisfy itself that the dog has been duly vaccinated against rabies on the production of a signed certificate issued by the Veterinary Officer to this effect.

12.1.2 A badge shall be provided to the keeper by the licensing Officer which badge shall be kept on the dog at all times whilst the license remains in force.

12.1.3 A license shall be issued on the payment of such fee as may be determined by resolution of the Assembly.

12.1.4 A license issued under these bye-laws shall expire on the 31st December of the year in which it is issued.

Stray Dogs

12.2 A dog in respect of which a license is granted shall be confined in a house by the owner between the house of 6:30am and 6.30pm and shall not be allowed to be at large within that period.

12.2.1 It shall be lawful for any Police Officer, Environmental Health Officer or any person authorized by the Assembly to seize any stray dog found at large and bring it before a Magistrate or Tribunal who may direct that the dog be returned to its owner or assigned to a suitable person or make such order as he may deem fit.

Keepers of Dogs

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

Seizure of Disease Dog by Assembly Officer

12.4 An Officer of the Assembly authorized in that behalf may seize any dog which is suffering from mange, rabies or other disease within the meaning of the Disease of Animal and Animals Act, 1961 (Act 83)

License to be Produced on Demand

12.5 A person who has a dog license in force shall produce it within twenty-four hours on request by an officer of the Assembly on demand that behalf.

Inoculation of Dogs

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

Penalty

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

Application

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

Revocation

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

SCHEDULE
TAMALE METROPOLITAN ASSEMBLY (TaMA)
(CONTROL OF DOGS) BYE-LAW, 2018
DOG LICENCE

This licence is hereby granted to.....of
for keeping the dog described hereunder in the Tamale Metropolis
 for the year ending 31st December, 20.....

Name of Dog.....

Description.....

Inoculation Certificate No..... Date.....

Fee Paid: GH¢.....

.....
Metropolitan Director of Health Services

TAMALE METROPOLITAN ASSEMBLY (HOUSE OWNERS AND OCCUPIER) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Responsibility

13.1 It shall be the responsibility of every house owner/occupier to clear and keep clean gutters, public or private, in or around his premises.

13.1.1 It shall be the responsibility of every house owner/occupier to cause to be fixed a four feet electric lights (fluorescent tubes) or security lights on the four outside corners of the premises.

Construction Across Public Way

13.2 No house owner/occupier shall construct a gutter, a drain or pipeline across a public way such as a road or street except with the prior approval of the Metropolitan Engineer.

Painting

13.3 All house owners/occupiers shall cause all premises to be painted between reasonable intervals.

Undeveloped Plots

13.4 All undeveloped plots shall be kept clean and clear of weeds at all times by the plot owner.

Refuse Dumps

13.5 (1) No house owner/occupier shall create a refuse dump in or outside his premises.

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

Penalty

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

Application

13.7 In these bye-laws unless the context otherwise requires:

- (1) “*Assembly*” means Tamale or TaMA Metropolitan Assembly
- (2) “*Occupier*” means any person who acts a caretaker of any premises
- (3) “*Around premises*” means the area space immediately outside the main outlay of the premises.

Revocation

13.8 All other (houses owners and occupier) Bye-laws within the area of authority of the Assembly in existence immediately before the passage of these Bye-laws are hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (PUBLIC MARKETS) BYE-LAWS 2018

In exercises of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Control of Markets

14.1 The Assembly shall have control and Management of the markets in the entire Metropolis

Hours of Operation

14.2 All markets shall be open to the public every day of the week from 6 o'clock in the morning until 6 o'clock in the evening

Allotment of Stalls, Spaces and Stores

14.3 Stores shall be allotted to allottees for sale of items or articles as the Assembly may direct from time to time.

14.3.1 Subject to sub-section 14.3 of this section all application for the allotment of stalls shall be made to the Assembly.

14.3.2 Allotment of available stalls shall be in order of priority of application and upon payment of prescribed rent to the Tamale Metropolitan Assembly.

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

14.3.4. For the avoidance of doubt the grant of all stalls shall be made by the Assembly.

Rent

14.4 The rent for a store in the markets shall be specified by a resolution of the Assembly from time to time.

14.4.1 On payment of rent for a stall, a receipt specifying the period in respect of which it is paid shall be issued to the allottees and the receipt shall be prima facie evidence of the payment of rent for the specified period.

14.4.2 Failure to produce the receipt on demand to a person authorized by the Assembly shall render the occupier of a stall liable to ejection from the stall or be made to pay a penalty which shall be specified by a resolution of the Assembly from time to time.

14.4.3 All rent may be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarter shall count as entire month or quarter.

14.4.4 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.

14.4.5 In case of an allotment for the month, the occupier of any stall shall give notice of intention to discontinue the use thereof at least seven days before the expiration of the period in respect of which rent has been paid; otherwise he shall be liable for rent in respect of the succeeding month.

Assembly under no Liability for Loss or Damage

- 14.5 The Assembly shall not be under any liability for any loss or damage to the property of any occupier of any store in a manner which is due to fire, theft, burglary or any other cause whatsoever.
- 14.1 All occupiers of stores/stalls at the markets shall insure their properties against fire, theft, burglary or other foreseeable contingencies.

Transfers, Subletting Succession, Death etc.

- 14.6 No occupier of any store, in a market shall sublet or share such store except with the prior written consent of the Assembly.
- 14.6.1 Every license granted by the Assembly to any person to use or occupy any store/stall, table or space in any market shall be personal to the licensee only, and the transfer of same or any part thereof or any transaction or dealing therewith which might by operation of law or equity have the effect of transferring same or any part thereof or any interest therein to any other person at any time without due consent of the Assembly is prohibited.
- 14.6.2 Occupancy of a store/stall cannot be assumed or devolved by way of succession. Upon the death of the tenant the interest in which automatically reverts to the Assembly.
- 14.6.3 Where a tenant dies, the Assembly shall be notified of such death stating the date of death and place of death by the personal representative of the deceased tenant.
- 14.6.4 Any relative of the deceased person who expresses an interest in the store should apply to the Assembly within three months after notification for a fresh and proper tenancy agreement to be made with the Assembly.
- 14.6.5 Where the tenant was not in actual occupation before his/her death, the Assembly may transfer the interest in it to the person who was occupying it as a sub-lessee before his death.

Market Standing Committee Application.

- 14.7 There shall be a market standing committee whose membership shall be approved by the Assembly to handle transfer
- 14.7.1 All market disputes shall be referred to the market standing committee of the Assembly for determination.
- 14.7.2 Where a party is dissatisfied with the decision of the standing committee, he may appeal to the Metropolitan Chief Executive of the Assembly for a review of such decision within three months.

Right of Re-entry

- 14.8 The Assembly reserves the right to re-enter any stores and re-allocate same to any interested person if;
- (a) The occupier deserts the store for 3 months without notice to the Assembly;
 - (b) Occupier fails to pay the rent due for 3 months
 - (c) The tenant contravened these bye-laws.

Sale Restricted to Allotted Store

- 14.9 No person shall sell at any place in any market other than the store allotted to him.

Appropriation of Parts of Market

- 14.10 Parts of the market shall be specially set aside by the Assembly for the sale of specified articles and the sale of such articles shall be prohibited elsewhere in the market.

Daily Sellers

- 14.11 (1) A part of the market shall be specifically set aside by the Assembly for the use by daily sellers who shall pay such daily fees as has been fixed by resolution of the Assembly.
- (2) A receipt/ticket shall be issued such sellers and the ticket/receipt shall be prima facie evidence of the payment and shall be shown on request by an Officer, agent or a person authorized by the Assembly on demand.
 - (3) Failure to produce the receipt/ticket on demand by a person authorized by the Assembly shall render the daily seller liable for ejection from the market or pay a penalty approved by a resolution of the Assembly.

Cleaning of Store

- 14.12 (1) An occupier of a store, in a market shall be responsible for the cleaning of his store at all times.
- (2) Before leaving the market at the close of the day every occupier shall thoroughly clean his store and its surroundings and the refuse placed in the dustbin provided for the purpose.

Prohibition on Exposure

- 14.13 (1) No occupier of any store/stall in the market shall expose any article of food for sale from a stall or from a table or other support of a height below one and half metres from the ground.
- (2) 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 other insects or means of contamination

Screening of Meat, etc.

- 14.14 No person shall expose for sale in any market, any meat, bread, fish or cooked food unless the same is protected by means of screens of a pattern approved by the medical officer of health concerned.

Infections Disease

- 14.15 No person suffering from any infectious or contagious disease shall enter or sell in in any market

Cleanliness

- 14.16 (1) Every Occupier of a store shall during his occupation keep the same in a clean state, and shall scrub, sweep or otherwise clear away any dirt and rubbish before leaving the market at the end of the day.
- (2) Every Occupier of a store or any other support for the exposing for sale of food shall wash it with clear water before leaving at the end of the day's selling.
- (3) All dirt, rubbish and sweepings shall be deposited in covered receptacles provided by the Assembly for that purpose or approved refuse sites.

Prohibited Articles

- 14.17 No person shall bring or cause to be brought into the market or keep therein any of the following:
- (a) Any live animal except birds.
- (b) The skin of any animal unless it is dry and properly cured.

Restraint of Birds etc.

- 14.18 Fowls, ducks, guinea-fowls and turkeys offered for sale in the market shall be kept in coops or restrained in a humane manner.

Children

- 14.19 Any person in charge of a child in the market shall be responsible for the good behaviour of such child and shall clean up any litter or any nuisance that such child may cause.

Butcher Clothing

- 14.20 Butchers and their assistants when engaged in carrying, handling or selling meat, shall wear clean-clothes of style approved by the Sanitary Officer of the Assembly who shall act on the advice of the Medical Officer of Health.

Unwholesome Food

- 14.21 Any person who brings into the market or offers for sale therein any article for human consumption which is unwholesome commits an offence.

Prohibition

- 4.22 No person shall use the market as a sleeping place.

Rights to Entry of Markets

- 14.23 It shall be lawful for the Metropolitan Chief Executive or his representative enter the market at reasonable times and to inform the Assembly of any non-compliance with these Bye-laws or to enforce same.

Obedience to Directions of TaMA

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

Categorization of Markets

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

Application

14.26 These rules and Bye-laws shall apply to the markets listed hereunder in the schedule.

Penalty

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

Interpretation

14.28 These bye-laws unless the context otherwise requires:

“*Assembly*” means Tamale Metropolitan assembly

“*Market*” means public market within Tamale Metropolis

“*Store*” includes selling sites, spaces and places as shall be designated by Assembly to be used for selling and buying purposes.

Revocation

14.29 All Tamale Metropolitan Assembly (Public Market) Bye-laws in operation immediately before these Bye-laws are hereby revoked.

Schedule**Major markets:**

1. Central
2. Aboabo

Satellite Markets (Established):

1. Lamashegu
2. Kukuo
3. Kakpayili
4. Guunayili Livestock Market
5. Gbabshie Yam Market

TAMALE METROPOLITAN ASSEMBLY (ABATEMENT OF LITTER) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Deposit of Litter at Unauthorized Places

15.1 No person shall place, throw and leave or cause to be placed, deposited, thrown down and left, otherwise than in a receptacle or place provided by the Assembly for the purpose, or in any street, park, recreation ground or other public or open space to which the public have access, or any ditch, water course, gutter or drain abutting on any street, any glass, chinaware, earthenware, tin, carton, paper, bottles, nails or other sharp substances, orange peel, banana skin or the skin of any fruit or the leaves or refuse, of any vegetable or rubber/polythene or empty sachet water bag or empty drinking water/soft drink container or any offensive, unwholesome or dangerous substance.

Sweeping of Litter

15.2 No person shall:

- (a) Sweep or otherwise remove from any shop, house or vehicle into any street, park, recreational ground or other public or open space, water course, gutter or drain abutting on any street, any waste paper, saving or other refuse or litter of any kind.

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

Conveyance of Filth and Litter

- 15.3 Every person conveying any filth, dust, ashes, refuse or litter or any noxious or offensive matter or litter or liquid in or through any street shall adopt all necessary precautions to prevent it falling into or upon such street or any drain or gutter abutting thereon and shall where necessary for that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

Removal of Falling Filth and Litter

- 15.4 If during the conveyance of any filth, dust, ashes, refuse or litter, some fall on the street, pavement or ground, the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, or refuse or litter falls.

Notice by TaMA

- 15.5 Where a person contravenes any of the provisions of these Bye-laws the Assembly may by notice in writing served on such a person or affixed to some conspicuous place near the article complained of, require such person to remove and keep removed the said filth, dust, ashes, refuse or litter within forty-eight hours from the date of the notice.

Collecting Refuse of Individual Person, Establishment etc.

- 15.6 Every owner or occupier of any premises other than premises owned by the Ghana Government or an organ thereof who requires the Assembly to remove domestic refuse therefrom daily shall:

- (a) Submit an application in writing to the Assembly containing the address of such premises and other particulars sufficient to enable the premises to be clearly identified;
- (b) And at his/her own expense provide at a convenient place on the premises or at such other place as the Assembly may direct a dustbin or other receptacle for containing refuse which shall be of metal with a close fitting lid and shall be of such dimensions as shall be approved in writing by the Assembly.

- 15.6.1 If it appears to the Assembly that there are no proper means of disposing domestic refuse in any residential areas and the Assembly is satisfied that in the interest of public health it is necessary that proper provision be made for that purpose, the assembly may by notice in writing require the occupier of any premises in the area to provide such number of covered dustbins or other covered container for the reception of domestic refuse of such material, size and construction as the Assembly may direct.

- 15.6.2 If the person on whom the notice is served fails to comply with its requirements within such period as may be specified therein, the assembly may itself provide the dustbins or other receptacles and recover the expenses reasonably incurred in so doing from the person in default.

- 15.6.3 No person, other than a person employed by the Assembly in connection with the removal and disposal of refuse, shall disturb the material deposited or refuse.

Prohibition

- 15.7 The occupier of any premises shall not deposit or leave or cause to be deposited placed or left in any dustbin provided for the reception of domestic refuse any liquid or fecal matter.

Fees

- 15.8 The fee for the removal of domestic refuse which shall be payable in advance shall be determined by resolution of the Assembly.

Notice

- 15.9 Notice requiring the Assembly to discontinue the removal of domestic refuse shall be given in writing to the Legal Officer not less than 14 clear days to expire at the end of any calendar month.

Application

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

Revocation

- 15.11 Any Bye-laws on abatement of litter in existence immediately before the coming into force of these Bye-laws is hereby revoked.

Penalty

- 15.12 A person who contravenes or fails to comply with any provision of these Bye-Laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred penalty units or to a term of imprisonment not less than six months and not more than twelve months or to both the fine and imprisonment.

TAMALE METROPOLITAN ASSEMBLY (PUSH TRUCKS AND TRICYCLES) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these bye-laws are hereby made:

License to Push Trucks

- 16.1 The owner of any vehicle having wheels not propelled by mechanical means in use for the carriage of goods in the Metropolis shall take out a license for such vehicle.

16.1.1 Every license issued under these Bye-laws shall expire on the 31st December, of the year in which it was issued.

Fees

- 16.2 There shall be paid for any such license a fee fixed by Resolution of the Tamale Metropolitan Assembly.

Exhibition of Number plate

- 16.3 Every vehicle for which a license is issued shall have affixed thereto the number plate assigned to it by the Assembly.

Condition of Respect

- 16.4 No license shall be granted under section 16.1 of these Bye-laws if the vehicle in the opinion of the Assembly or any other person authorized by the Assembly in that behalf is in such a condition as to endanger person or Property.

Prohibition

- 16.5 No person below the age of 18 shall push any vehicle which is subject to these Bye-laws and no user of such vehicle shall sit on them while it is in motion.

Rules of the Roads

- 16.6 The user of any such vehicle which is subject to these Bye-laws shall observe the normal rules of road traffic movement and shall keep close to the right hand side of the road.

Limitation of Operation

- 16.7 No vehicle licensed under these Bye-laws shall operate between the hours of 5.30pm and 5.30am.

Permit for use of Tricycles

- 16.8 No person shall operate or use a tricycle within the Tamale Metropolis without first;
- (a) Obtaining a registration number from the Driver and Vehicle Licensing Authority.
 - (b) Obtaining an insurance policy cover for the tricycle
 - (c) Obtaining a permit from the Assembly

16.8.1 The registration number of a tricycle shall be embossed on the tricycle.

16.8.2 It shall not be lawful for a tricycle to carry more than four passengers.

Penalty

16.9 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than one hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than eight months or to both the fine and imprisonment.

Revocation

16.9 Any Bye-laws on push trucks in existence in the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

Interpretation

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

“*Push Truck*” means any vehicle with wheels not propelled by mechanical means and use for carriage of goods.

“*Tricycle*” means any vehicle with three wheels and what is commonly referred to as “Motorking” and “Yellow Yellow”.

TAMALE METROPOLITAN ASSEMBLY (KIOSK-KEEPERS) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these bye-laws are hereby made:

Application

17.1 No person shall construct or keep a kiosk in the Tamale Metropolis for the transaction of any business without first applying to the Assembly for and obtaining a licence to do so.

17.1.1 Licenses granted under these Bye-laws are temporary and the Assembly reserves the right to order the removal of the kiosk if its location is considered unsuitable.

17.1.2 Where such application is deposited with the Assembly there shall be attached thereto three site plans of the area where the kiosk is to be kept.

17.1.3 When a license is granted there shall be payable to the Assembly such fee as may be fixed by resolution of the Assembly.

Display of Official Numbers

17.2 All kiosk shall display the official numbers allocated to them in a conspicuous place on the kiosk

Size of Kiosk

17.3 No kiosk shall exceed 120 sq.ft.

Former Licences

17.4 All licenses in respect of the keeping of kiosk granted by the Assembly shall remain valid for a period of one year.

Penalty

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

17.5.1 Notwithstanding any court action instituted under sub-section 1 of this section the Assembly may remove any unauthorized kiosk upon giving three days' notice to the owner of the kiosk.

Interpretation

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

“*Kiosk*” includes wooden structures, metal containers or any other structure use for that purpose.

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF MILLS) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local governance Act, 2016 (Act 936) these bye-laws are hereby made:

Development Permit to be Obtained

18.1 No person shall operate a mill within the Tamale Metropolitan Assembly unless he has first obtained:

- (a) A development permit for the site from the Department of Town and Country Planning and Development office of the Assembly and;
- (b) A building permit from the Engineers Department of the Assembly.

Licence

18.2 No person shall operate a mill without a license from the Assembly.

Permit Fee and Duration

18.3 The permit fee and conditions for operating a mill shall be determined in accordance with the fee fixing resolution of the Assembly

18.3.1 A license granted under these Bye-laws shall lapse on 31st December of the year of issue.

Specification for Floor and Wall of Mill

18.4 No person shall use a room or structure as a mill if:

- (a) It is less than 4.2 metres long 3.6 metres wide and less than 3.5 metres high from floor level, and;
- (b) The floor is not made of concrete or other approved impervious materials, and
- (c) The walls are not fly-proof

Use of Mill

18.5 No person shall use a mill as living or bed room.

Time of Operation

18.6 A mill shall be opened to the public only between the hours of 5am to 7 pm.

Prohibited Person

18.7 No proprietor or person in-charge of a mill shall allow any person suffering from an infectious disease to be present at the mill site.

Penalty

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

Revocation

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

Prevention of Pollution

18.10 The owner of a mill shall take appropriate measures to prevent environmental pollution as stipulated in the Environmental Protection Agency Act.

Interpretation

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

“*Mill*” means any building or structure with machinery for grinding corn, pepper, tomato, cassava groundnut or other food stuff.

TAMALE METROPOLITAN ASSEMBLY (INFECTIOUS DISEASE) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Cleansing and Disinfecting of Premises

- 19.1 Where the Assembly is satisfied upon the Certification of the Medical Officer of Health or any legally qualified Medical cleansing and disinfection of any Premises or articles would tend to prevent or check any dangerous or infection disease, the Assembly may by a notice in writing served on the owner of the premises or article, direct that it will at his cost do the cleansing and disinfection or destruction unless within 24 hours after the receipt of the notice, he informs the Assembly that within the time specified in the notice he will take such measures as are specified therein to the satisfaction of the Assembly.
- 19.1.1 If a person on whom the notice is served does not inform the Assembly as required or having informed the Assembly does not take the steps specified to the satisfaction of the Assembly within the time specified, the Assembly may cause the premises to be cleansed and disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the notice was served.
- 19.1.2 The Assembly may serve notice in writing on the owner of any building, clothing or other article which has been exposed to infection by any dangerous or infections disease requiring the delivery of the articles to an officer of the Assembly duly authorized within such time as may be specified in the notice for removal for disinfection or destruction as the case may be.

Notification

- 19.2 Where any in-mate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Medical officer of Health. In the absence of a head of family, the nearest relative of the patient present in the building and in the absence of such relatives, any person in charge of or in attendance on the patient and in default of any such person, the occupier of the building or structure shall send notice thereof to the Medical Officer of Health.

Medical Practitioner

- 19.3 (a) A Medical Practitioner attending or called in to visit a patient shall as soon as he becomes aware that the patient is suffering from a dangerous or infectious disease, send to the Medical Officer of Health a Certificate stating the name of the patient, the nature of his illness and his address.
- (b) Any medical Practitioner who fails to send a certificate as required by these Bye-laws commits an offence.

Prohibition

- 19.4 A person who knows that he is suffering from a dangerous or infectious disease shall not engage in a or carry on any trade, business or occupation in connection with food or any trade, business or occupation which he can engage in or carry on without the risk of spreading such disease.
- 19.4.1 A person who:
- (i) Knowing that he is suffering from a dangerous or infectious disease exposes other persons to the risk of infection by using any public transport or by using his presence or conduct in any street or footpaths, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises, or
 - (ii) Having the care of a person whom he knows to be so suffering to use or permits that person to expose other persons to the risk of infection; or
 - (iii) Gives land, sells, transmits or exposes with previous disinfection, any bedding, clothing or other articles which he knows to have been exposed to infection from any such diseases and which are likely to carry such infectious disease commits an offence.

Restriction on Deposit of Rubbish

- 19.5 No person shall place or deposit or cause or permit to be placed or deposited in a dustbin or ash-pit or other receptacle for containing refuse or any matter he he knows to have been exposed to infection from a dangerous or infectious disease and which has not been disinfected.

Infected Laundry

- 19.6 No person shall send or deliver to any laundry or pubic wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been expose to infection from a disease, unless such article or things have been disinfected by or to the satisfaction of the medical officer of health.

- 19.6.1 No person shall let or offer to let any house, room or other premises in which a person to his knowledge has been suffering from a dangerous or infectious disease, without having that house, room or other premises and all articles therein liable to retain infection, disinfected to the satisfaction of the medical officer of health.
- 19.6.2 If the occupier of a house ceases to occupy that house in which to his knowledge a person was within six weeks previously, been suffering from an infectious disease and fails to have it and all articles there liable to:
- (a) Retain infection disinfected to the satisfaction of the medical officer of health or a qualified Medical Practitioner, or
 - (b) Fails to give to the owner of the house notice of previous existence of such disease commits an offence under these Bye-laws
- 19.6.3 Any person who contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

TAMALE METROPOLITAN ASSEMBLY (SALE OF INTOXICATING LIQUOR) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance act, 2016 (Act 936) these Bye-laws are hereby made:

License

- 20.1 No person shall distill or sell any intoxicating liquor either as a wholesaler or retailer without a license by the Assembly.
- 20.1.1 Separate licenses shall be issued for distillation and selling and shall be issued yearly or as may be determined by the Assembly.
- 20.1.2 Every application for a license shall be made in writing to an officer so designated by the Tamale Metropolitan Assembly and shall contain sufficient particulars of the place and type of liquor the applicant intends to sell or distill.
- 20.1.3 Such application will be forwarded to the police officer in-charge of the area for determining whether the area is suitable for such purpose.
- 20.1.4 The officer when satisfied with such report from the Police will endorse it to the Assembly licensing officer for the license to be issued.

Every License

- 20.2 Every license:
- (a) Shall be subject to the provision in the manufacture and sale of Spirits Act of 1962 and
 - (b) Shall be a yearly license and shall determine on the last day of the year in which it was issued or as may be determined by the Assembly

Fees

- 20.3 The fee payable for such license shall be fixed by resolution of the Assembly.

Powers

- 20.4 An officer duly authorized by the Assembly may, at all reasonable times take steps to recover the approved fees or to revoke any such license where the proprietor;
- (a) Has refused to pay the approved fee.
 - (b) Is acting in a manner repugnant to the Assembly's interest
 - (c) Is acting in a way injurious to public interest, or
 - (c) Does not use the place for the purpose for which it was originally intended.
- 20.4.1 No person shall obstruct or otherwise interfere with any officer or other persons authorized by the Assembly in the performance of any duties assigned to them under these Bye-laws.

Penalty

20.5 Any person who distills or sells liquor without the requisite license or contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred and fifty penalty units and not more than two hundred penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

Interpretation

20.6 "Liquor" means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance (e.g.. malt, millet, sugar, etc).

Revocation

20.7 All existing Bye-laws on sale of intoxicating liquor, are hereby revoked.

TAMALE METROPOLITAN ASSEMBLY (BIRTHS AND DEATHS REGISTRATION) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Municipal Assembly by section 181 of the Local governance Act, 2016 (Act 936) these bye-laws are hereby made:

Registration of Birth and Death

21.1 Every birth or death occurring within the jurisdiction of the Assembly shall be reported to the Metropolitan Births and Deaths Registrar.

Registrar

21.2 The registrar shall:

- (a) Keep two separate registers in which he shall record the details of every report made to him in respect of each birth or death respectively
- (b) Subject to the direction of the Assembly be responsible for the safe custody of the register;
- (c) Make the register available at all reasonable times for inspection by any member of the assembly or medical officer of health or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
- (d) Submit returns in such manner and at such times as the principal Registrar of Births shall direct;
- (e) Otherwise conform to the requirement of these Bye-laws.

Registration Assistants

21.3 The Tamale Metropolitan Assembly may appoint such number of Registration Assistants as may be necessary.

21.3.1 Registration Assistants shall perform the same duties as the Registrar but shall be responsible to the Registrar.

21.3.2 Registration Assistants shall send to the Registrar Certified extract of all entries in their registers during the previous month.

Custody of Registers

21.4 Current registers when not actually in use and disused registers shall be kept in proper fire-proof safe which shall be kept securely locked.

Persons to Make Reports

21.5 Reports in accordance with section 21.1 of this Bye-laws shall be made in writing or in person in the case of:

- (a) Births by the mother or father of the child.
- (b) Deaths by the head of the deceased's family or in his absence by the person finding or taking charge of the body.

Fees

21.6 The person making the report shall pay the necessary fee fixed by resolution of the Assembly.

Forms of Registration

21.7 Registers shall be kept in the forms provided for registers of Births/Deaths and burial respectively under the births/deaths and burial ordinance.

Birth

21.8 The registrar shall upon registering any birth deliver to the reporter upon payment certificate of a fee fixed by resolution of the Assembly a Certificate in the form "G" set forth in schedule 1 of the Births and Deaths and burials ordinance.

Time for Registration.

21.9 Every report required by these Bye-laws shall be made:

- (a) In respect of deaths within seven days, and
- (c) In respect of a birth within two months

Inspection of Registers

21.10 A person shall be entitled on payment of an amount fixed by resolution of the Assembly, to inspect any entry in the registers or to search the register at any reasonable time.

Copies as Evidence

21.11 Every certified copy of a register shall be receivable in evidence in any legal proceedings as evidence of the facts recorded therein.

Correction of Registers

21.12 Any clerical error in a register may if discovered at the time of making the entry, be corrected but no other entry shall be corrected nor any alternation made in any register save on the application of a party supplying information to the registrar.

Erasure

21.13 No erasure shall be made in any register or certified copy of extract thereof but, if any correction is made a line of red ink shall be drawn through any word to be deleted so as to leave the word legible, and any word to be inserted shall be underlined or written in the margin opposite any correction.

Change of Name

21.14 Where it is desired to change the name of a child whose birth and name have been registered, or record had been registered without record of a name, the Registrar, may, upon written application by the child's parent or guardian made within twelve months of the register accordingly effect the change.

Penalty

21.15 Any person who willfully registers or permit to be registered any false statement or who willfully destroys or permit to be destroyed any entry in any register commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty and fifty or to a prison term of not less than six months and not more than ten months or to both the fine and imprisonment.

Revocation

21.16 The Births and Deaths Bye-laws, 2007 are hereby repealed.

TAMALE METROPOLITAN ASSEMBLY (URBAN ENVIRONMENTAL SANITATION) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-Laws are hereby made:

Composition of Urban Environmental Sanitation Bye-Laws

22.1 The following Bye-laws form part of the Urban Environmental Sanitation Bye-laws.

- (a) Tamale Metropolitan Assembly (Solid and Liquid Waste Management) Bye-laws 2018
- (b) Tamale Metropolitan Assembly (Control of Pollution) Bye-laws, 2018
- (c) Tamale Metropolitan Assembly (Drainage for Storm Water and Sullage Conveyance) Bye-laws, 2018

22.1.1 The above Bye-laws are complementary and the exclusion of any or several of the bye-laws from any particular application does not reduce, detract from or render any of the remaining Bye-laws unenforceable.

Revocation

22.2 All previous Bye-laws regulating the matters covered by section 22.1 (a), (b), and (c) above are hereby repealed.

Definitions and Interpretations

22.3 The following definitions shall apply throughout these Bye-laws:

- (i) Solid Wastes comprise all solid waste material generated by households, institutions, commercial establishments and industries, and discharged from their premises for collection, all litter and clandestine piles of such wastes: street sweeping, drain cleaning, construction/demolition waste, dead animals and other waste materials.
- (ii) Hazardous Waste comprise those waste that are toxic, flammable, corrosive, radioactive, explosive or otherwise dangerous as defined by the gasoline (petrol), paint, solvents dry cell and vehicle batteries, pesticides, infectious or medical waste from hospitals and clinics, metallic and/or oily sludge's or solvents and asbestos materials
- (iii) Liquid waste comprise human excreta (night soil and sewage), industrial waste, animal manure, industrial sewage and domestic or commercial wastewaters.

TAMALE METROPOLITAN ASSEMBLY (SOLID & LIQUID WASTE MANAGEMENT) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-laws are hereby made:

Vested Responsibility in Management of Waste

23.1 The Assembly has vested interest in the management of all waste and the Assembly or its registered agents or contractors shall be exclusively responsible for the management of both solid and liquid wastes within the entire area of the Assembly's jurisdiction.

Liquid and Solid Waste to be made Available to the Assembly Contractors for or its Authorized Agents

23.2 Every household, industry, office and any other premises shall make its solid and liquid wastes available to the or its authorized agents or appropriate handling

23.2.1 Solid and liquid wastes thus made available shall remain at all times the property of the Assembly.

Waste Disposal and Charges

23.3 Solid and liquid wastes made available by owners or occupiers of premises shall be collected, treated and disposed of at designated sites only by the Assembly or its authorized agents or contractors.

23.3.1 The discharge of all types of waste at an Assembly treatment and/or disposal plant shall attract a charge which may be included in any charge payable for the removal of the waste or charged separately by the Assembly at the plant site or by special arrangements.

Liaison with the Assembly's Agents or Contractors

23.4 All occupiers or owners of premises with the exception of household premises shall designate a member of their staff to be directly responsible in all matters relating to waste management to liaise with the Assembly or its contractors or agents

Construction and use of Pan Latrine Banned.

23.5 The construction or installation of pan (or bucket) latrine is hereby declared banned throughout the area of jurisdiction of the Assembly.

Approved House-hold Sanitation

23.6 Any owner/occupier of any premises shall use a sanitation facility approved for the purpose by the Assembly within the area of jurisdiction of the Assembly.

Sewer Connection and Payment

23.7 Any premises within the area of the Assembly where underground sewage network exists shall be required to have its sanitation facility connected to the network.

23.7.1 Connections to such sewerage networks shall be on application to the Assembly; plumbing contractors approved by the Assembly shall undertake the connection upon payment of fees as approved by the Assembly in its Fee Fixing Resolution.

Fees to be Charged

23.8 The Assembly shall impose fees as approved in its Fee Fixing Resolution on an owner or occupier of premises where services are rendered for the disposal of liquid or solid waste.

Offences

23.9 A person commit an offence when he/she:

- a) Fails to provide a standard container for solid or liquid waste as prescribed by the Assembly.
- b) Receives services from unauthorized person.
- c) Uses unauthorized containers
- d) Refuses to allow the Tamale Metropolitan Assembly or its authorized agents or contractors to collect solid waste from one's premises.
- e) Indiscriminately dumps solid or liquid waste in open spaces, drains, gutters behind walls or open spaces or any spaces not designated for that purpose.
- f) Burns solid waste in one's compound.
- g) Indiscriminately urinates or defecates in any unauthorized place.
- h) Fails to provide an approved toilet or sanitation facility on the premises which they occupy.
- i) Uses a sanitation facility not approved by the Assembly.
- j) Connects to the sewerage network without prior approval and payment of the connection fees.
- k) Fails to connect sanitation facility to the sewerage network.
- l) Fails to provide household toilet for occupants of the house.
- m) Uses Pan Latrine.

Penalty

23.10 Any person who contravenes any provision of these Bye-laws commits an offence and liable on summary conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than eight months or to both the fine and imprisonment save in the case of an offence under section 23.9 (g) of these Bye-laws where the offender is liable to a spot fine of five penalty units or in default six months imprisonment.

TAMALE METROPOLITAN ASSEMBLY (CONTROL OF POLLUTION) BYE-LAWS, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-Laws are hereby made:

Citation

24.1 These Bye-laws may be cited as the Tamale Metropolitan Assembly (Control of Pollution) Bye-laws 2018, and shall apply to the Assembly's entire area of jurisdiction.

Interpretation

24.2 In these Bye-laws "Nuisance" includes;

- (a) Any animal so kept as to be a nuisance or injurious to health.
- (b) Any pool, ditch, gutter, eaves-gutter, water course, well, hole, pond, tank, privy, urinal, cesspool, drain or catch pit which is in such condition as to be offensive or injurious to health, or likely to be so.
- (c) Any premises in such a state of disrepair as to be a nuisance or dangerous or injurious to health.
- (d) Any accumulation or deposit of excreta or urine or articles or things which are or are likely to be injurious to health.
- (e) Any growth of weeds, prickly-pear, long grass or wild bush of any sort.
- (f) The keeping and harbouring of animals on any premises constructed or situated as to cause, or likely to cause such keeping or harbouring to be injurious or hazardous to health.
- (g) Any work, manufacturing, trade or business injurious to the health of neighbours or dangerous to or so conducted as to be dangerous or injurious to health

- (h) Any well, pond or tank, the water of which is tainted with impurities or unwholesome such as to be injurious to the health of the person using it.
- (i) Any rat-infested premises or house not in actual occupation.

24.2.1 “Occupier” shall, where the building is not in actual occupation include the owner thereof.

Disposal of Solid Waste

24.3 Where the Assembly has set aside any place for the purpose of waste disposal, no person shall place or cause or permit to be placed any carrion, filth, dirt, refuse or rubbish or any offensive or unwholesome matter, or any street, yard, enclosure or open space in such a are except at approved installation as may be provided for that purpose.

Littering of Public Places

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

Removal of Weeds and other Offensive Material

24.5 The occupiers of premises shall clear and keep free from all dirt, underbrush, underwood, weeds, high grass, rubbish, rags, broken bottles, refuse, rubbish and all offensive matter (filling up all holes with stones, gravel or other like materials) the street or roads at the front, back and side thereof, with the drains, gutters and channels thereon, provided that where there are two lots of land contiguous to any street, road, drain, gutter or channel and facing each other, the occupier of each lot shall be responsible for keeping clean only half of the street, road, drain, gutter or channel nearest to their own lot.

Recycling of Wastes in Residential Area

24.6 The occupier of any premises within a residential area may, with the prior approval of the Assembly, recycle such solid waste generated by him as he may determine such as backyard composting of kitchen waste.

24.6.1 The Assembly may grant such approval if it is satisfied that the recycling will not create a public nuisance or adversely affect the environment.

24.6.2 For the avoidance of doubt, no person shall recycle liquid wastes.

Offences

24.7 It is an offence under these Bye-laws to:

- (a) Refuse to give one’s name on demand by any Environmental Health Officer in the investigation of any nuisance.
- (b) Deposit or place or leave or cause or permit to be deposited, placed or left in any dustbin provided for the reception of domestic solid waste any liquid waste.
- (c) Cause a nuisance as defined in section 24.1 or contravene or fail to comply with any of the provisions of sections 24.2, 24.3, 24.4, and 24.5 of these Bye-laws.
- (d) Deny entry to any Environmental Health Officer or Government Agent or any person or person authorized in writing by an Health Officer or Government Agent, together with any assistant or assistants bearing an official badge or token at any time between the hours of 6 am and 6 pm for the purpose of examining the existence or continuance of any nuisance therein or of abating any nuisance.

Penalties

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

TAMALE METROPOLITAN ASSEMBLY (LICENSING OF WASTE COLLECTION AND HAULAGE COMPANIES) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-laws are hereby made:

Citation

25.1 The Bye-laws may be cited as the Tamale Metropolitan Assembly (Licensing of Waste Collection & Haulage Companies) Bye-laws, 2018

Categories of Solid and Liquid Waste

25.2 The following categories of waste shall be covered under these Bye-laws:

- a) Household Solid Waste as described and set out in schedule 1
- b) Industrial solid Waste as described and set out in schedule 2
- c) Commercial Solid Waste as described and set out in Schedule 3
- d) Hazardous Waste as described and set out in schedule 4
- e) Bio-medical waste as described and set out in schedule 5
- f) Liquid Waste as described and set out in schedule 6

Licensing for Collection of Waste

25.3 The Assembly reserves the right to license waste company and contractors for collection and disposal of any of the above categories as it may direct.

Unlicensed Collection Waste

25.4 Except by regulation, no person shall engage in the collection and disposal of of waste prohibited as a business without license from the Assembly.

Collection and Disposal Bio-medical Wastes

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

Certification of Plant and Equipment

25.6 Private operators, agents or contractors licensed by the Assembly to handle waste shall cause their vehicles, plant and equipment for the collection and haulage of waste to be inspected for appropriateness and issued a certificate by an authorized officer of the Assembly.

Categories of Licensed Private Operators

25.7 Licensees shall be categorized as large, medium or small scale according to the collection service prescribed by the Assembly and vehicles, plant and equipment requisite to the service.

25.7.1 The categories of private operators shall be defined according to schedule 7 of these Bye-laws.

25.7.2 Licensing requirements for private operators shall be defined in guidelines issued by the Assembly.

Monitoring of Licensed Operators

25.8 All licensed operators shall at all times allow access to the Assembly's staff or designated agents to their premises, equipment or records relating to the services licensed.

Storage of Waste for Collection

25.9 An occupier/owner of any premises within a solid waste collection service area shall be required to register with the Assembly or its authorized agents or contractors and to place the waste in a container and to place the container for collection by the Assembly or its authorized agents or contractors appointed for the area on collection days as may be announced by the Assembly or its authorized agents or contractors.

25.9.1 The containers to be employed shall be approved by the Assembly as indicated in schedule 8 of these Bye-laws for specific types and levels of services.

Private Collectors

25.10 An owner or occupier of a premises within a solid waste collection service area may notwithstanding the other provisions of these by-laws, engage a licensed collector collect wastes generated by him, subject to the approval of the Assembly.

Collection Areas and Days

25.11 The Assembly may, for the purposes of the management of waste generated within its area of jurisdiction, divide the area into waste collection zone.

25.11.1 The Assembly or its authorized agents or contractors shall serve notice of commencement of a collection service in areas specified for particular service and days for collection.

Prohibition of Unlicensed and Indiscriminate Disposal of Waste

25.12 No person shall place or deposit or dispose of any land, or cause or knowingly allow waste to be placed on any land, or use any vehicle, plant or equipment, for the for the purpose of disposing of waste unless the land on which the waste is placed is so designated by the Assembly for the purpose of waste disposal and the person it licensed by the Assembly to place the waste at such designated disposal site.

Fees to be Charged for

25.13 The collection of any type of waste as set out in schedules 1, 2, 3, 4, 5, and 6 of these bye-laws shall be subject to charging of fees as approved by the Assembly in its Fee disposal of waste Fixing Resolution.

25.13.1 The Assembly reserves the right to charge tipping or discharge fees for the placement of prescribed waste by its licensed operators at any designated disposal site for solid or liquid waste as approved by the Assembly in its Fee Fixing Resolution; Schedule 9 of these Bye-laws indicates the type of wastes acceptable at the Assembly's designated disposal sites.

Offences

25.14 A person commit an offence who:

- (a) Engages in the collection of waste without license from the Assembly
- (b) Being licensed, fails to obtain an inspection certificate from the Assembly for the vehicles, plant and equipment used for waste collection.
- (c) Fails to provide for the premises the approved containers for storage of waste.
- (d) Places or deposits any waste at an unauthorized disposal site
- (e) Fails to pay for waste collection or tipping or discharge fees
- (f) Places or deposits at any designated disposal site any waste not acceptable
- (g) Recycles any waste without the prior approval of the Assembly
- (h) Dumps solid waste in a drain, sewer, open land, quarry, river channel, swamp or other place not designated by the Assembly

Penalties

25.15 Any person who commits any of the offences specified under section 25.14 of these Bye-laws is liable on summary conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and more than twelve months or to both the fine and imprisonment.

TAMALE METROPOLITAN ASSEMBLY (DRAINAGE FOR STORM WATER AND SULLAGE CONVEYANCE) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-Laws are hereby made:

Citation and Interpretation

26.1 These Bye-laws may be cited as the Tamale Metropolitan Assembly (Drainage for Storm water and sullage conveyance) Bye-laws 2018.

26.1.1 In these Bye-laws, the following interpretations and definitions shall apply:

- (a) Storm water is the result of rainfall running along the surface of the ground of drainage channels.
- (b) Sullage is wastewater from bathrooms, washing of clothes, kitchen utensils (plates and dishes) and rainwater within the premises; it does not include discharge from septic tanks or any other wastewater contaminated by excreta.
- (c) Drainage shall refer to primary, secondary, tertiary and residential drains; it shall include also earth drainage channels from premises in low-income communities without formal drainage constructed by the Assembly.

Connections and Usage of Drains

26.2 All drains shall be for the public good in the maintenance of environmental sanitation, the protection of investments in road infrastructure and sullage and rainwater conveyance for disposal.

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

26.2.2 The only discharges permissible into the public drain shall be sullage and storm water

Maintenance of Drains

26.3 The Assembly shall undertake the repair and maintenance of all primary and secondary drains within its area of jurisdiction, while the cost for tertiary or residential drains shall be borne by the occupiers of premises in a manner that the Assembly may approve from time to time.

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

Drainage Reservations

26.4 The drainage reservations shall be as defined in schedule 10 to these Bye-laws

26.4.1 No development shall be permitted within any drainage reservation, so as to facilitate the efficient and effective maintenance of the drain.

Offences

26.5 A person commits an offence who:

- (a) Abuses the drain by making non-permissible discharges into the drain
- (b) Disposes solid waste, discharge from septic tanks (septage) and any other material contaminated by excreta into a drain
- (c) Develops any structure or carries on any activity, commercial or otherwise, within the drainage reservation; this includes vegetable gardening.
- (d) Connects drains in his premises to a public drain without prior authorization by the Assembly.
- (e) Causes blockage of flow in a public drain resulting in stagnation of the flow.

Penalties

26.6 Any person who commits any offence specified under section 26.5 of these Bye-laws is liable on summary conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

TAMALE METROPOLITAN ASSEMBLY (CHILD RIGHT AND PROTECTION) BYE-LAWS 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Government Act, 2016 (Act 936) these Bye-Laws are hereby made:

Citation:

27.1 The Bye-law may be cited as the Tamale Metropolitan Assembly (Child Right and Protection) Bye-law 2018.

27.2 It shall not be lawful for a child to move about in the Tamale Metropolis between the hours 7:00 pm and 5:30 am.

27.2.1 The Assembly shall put in place a Task Force which shall be responsible for protection of the rights of the child.

27.2.2 A child who is found moving about in the Tamale Metropolis between the hours of 7:00pm and 5:30am shall be arrested by the Task Force put in place under section 27.2.1 and be taken to the Tamale Children's home where the child shall remain until the child's parents are identified.

27.2.3 A child arrested under section 27.2.2 of these Bye-laws whose parents are identified shall be handed over to the parents after the parents have paid the cost of upkeep of the child for the period the child was at the Children's home at a rate determined by a fee fixing resolution of the Assembly.

Offences:

27.3 A person commits an offence if that person:

- (a) Violates child rights and protection rules as enshrined in the National law on children
- (b) Entrusts a child as a guide to any beggar who engages in begging
- (c) Engages in conduct that inhibits the total development of a child
- (d) Engages a child in exploitative labour which shall also include engaging a child to drive a tricycle.

Penalty:

27.4 Any person who commits an offence under section 27.3 of these Bye-laws shall be punished on Summary conviction in accordance with the relevant provisions of the Children Act, 1998 (Act 560).

27.4.1 Any person who commits any offence specified under section 26.5 of these Bye-laws is liable on summary conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

**TAMALE METROPOLITAN ASSEMBLY (BUILDING ERECTION, ALTERATION OR EXTENSION)
BYE-LAWS, 2018**

In exercise of the Power Conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the Tamale Metropolitan Assembly hereby adopts the National Building Regulations, 1996 (L.I. 1630) to regulate the Erection, Alteration or Extension of buildings in areas within the jurisdiction of the Tamale Metropolitan Assembly.

Application:

28.1 All the Provision of the National Building Regulations shall apply mutata mutandis within the jurisdiction of the Tamale Metropolitan Assembly.

Notwithstanding section 28.1 of this Bye-law the following will also be applied by the Assembly.

Mandate and Responsibilities

28.2 The Assembly shall mandate the Building Inspectorate Unit of the Work Department to be responsible for the regulation of all physical development.

28.2.1 The unit will also oversee and inspect daily work on buildings, erections and installations.

Permit to Commence Development and Building

28.3 A person shall not commence a development or a building unless prior to the commencement the person has obtained a permit from the Assembly.

28.3.1 A person who commences a development or building without a permit from the Assembly commits an offence.

28.3.2 The Assembly may enter into an unauthorised development or building and cause it to be demolished.

Property Description

28.4 The Assembly shall ensure that every property within the Metropolis, have amongst others -

- a. a house number plate
- b. property address
- c. street name

Notice on State of a Property/Business

28.5 An owner of a building shall give at least one months notice to the Assembly where -

- a. the property has collapsed
- b. the property is undergoing major repairs and or renovation.

28.5.1 Where a business has stopped operation for more than one financial/calendar year, the owner of a business shall give at least one months notice to the Assembly.

Power of Entry

- 28.6 A qualified Building Inspector from the Building Inspection Unit of the Work Department of the Assembly shall:
- a. have the right to enter into premises of a developing site anytime convenient without hindrance to request for the building permit and inspect the building or work being carried out or on-going
 - b. have the right to write on the structure(s) with paint to stop the work and ask them to produce their permit if not present at site during the visit
 - c. have the right to seize the tools and equipment of persons who fail to comply with the final warnings of the building inspector.
 - d. not be responsible for any damage caused to artisans tools and equipment when seized.
 - e. stop all authorised development contrary to the Land Use and Spatial Planning Act 2016, (Act 925) Section 113, Sub Section 1.

Seizure of Tool/Equipment/Items

- 28.7 Artisans whose tools/equipment or items that are seized shall be retrieved within 5 working days.
- 28.7.1 Persons who breach Section 33.2.1 of this Bye-law shall have their equipment forfeited to the Assembly
- 28.7.2 Retrieval of tools and or equipment shall attract the penalty fee as enshrined in the fee fixing of the Assembly plus administrative cost.

Temporary Structures

- 28.8 Temporary structures shall be locked by the Assembly Building Inspectors if owners fail to comply with the directive of the Officer
- 28.8.1 Notwithstanding section 13.7 above or any other provision, no person shall construct a temporary structure along any of the major roads within the Metropolis.

Hindrance

- 28.9 A person who prevents an officer from performing his authorised duties shall be held liable and shall be arrested and prosecuted under the laws of Ghana
- 28.9.1 In case of an injury to the officer, the property owner as well as the artisan shall be prosecuted.

Offence and Penalty

- 28.10 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 hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

SCHEDULES**Schedule 1: Household Solid Waste**

Kitchen waste, garden waste, animal waste, sand, ashes, paper, cardboard, food waste, plastic packaging glass, tin cans, construction or demolition debris and bulk waste (including large appliances, machines, furniture, and other bulky items).

Schedule 2: Industrial solid waste:

Non-hazardous solid waste from:

1. Food processing factories (canneries, breweries, abattoirs, slaughter houses etc.)
2. Metal industries (ferrous/non-ferrous foundries/works)
3. Textile industries (garment factories, textile manufacturing)
4. Animal based products (tanneries, leather work etc.)
5. Wood industries (sawdust, veneer, wood waste etc.)
6. Waste from Shea-nut extraction
7. Waste from groundnut oil milling
8. Waste from Cotton ginneries

9. Rice husk
10. Groundnut shells
11. Sawdust

[To be specified based on the industries in the Assembly's area of jurisdiction]

Schedule 3: Commercial Solid Waste

Solid waste from eating houses, restaurants, hotels, chop bars, fast food outlets, shops, stores, markets, bank offices and educational institutions.

Schedule 4: Hazardous Waste

Waste which is toxic, flammable, corrosive, highly reactive, explosive, radioactive or otherwise dangerous as defined by the Environmental Protection Agency, also including motor oil, diesel fuel, petrol, paint, solvents, dry cell and vehicle batteries, pesticides, infectious or medical wastes from hospitals and clinic's expired drugs metallic and/or oily sludge's or solvents from commercial and industrial establishments and asbestos materials.

Schedule 5: Biomedical Waste

Biomedical Wastes as defined by EPA including:

1. **General/Normal Wastes** similar in character to household solid wastes except that they are produced within a medical facility.
2. **Infectious Wastes** generated by both in-patients and out-patients which are known or likely to contain pathogenic micro-organisms from blood or other body fluids. These include sharps (needles, blades, slides etc), dressings swabs, syringes etc.
3. **Pathological Waste** comprising body parts and tissues arising from amputations, surgical operations autopsy (post-mortem) and childbirth.
4. **Hazardous Wastes** comprising pharmaceutical wastes (expired or discarded drugs and their containers). Radioactive wastes and laboratory wastes (acids, alkalis, solvents, cultures, specimens, organic chemicals heavy metals).
5. **Incinerator Ash and sludge.**

Schedule 6: Liquid Waste

1. Septage (partially digested materials removed from septic tanks)
2. Nightsoil/excreta (relatively fresh or undigested material)
3. Sewage (fresh material mixed with water for flushing and transport (along pipes).

Schedule 7: Licensing of Waste Management Service Providers

A. License Categories

License may be issued for the following service categories:

1. Dislodging of toilets and septic tanks (DS);
2. Management of public baths urinals and toilets (PT);
3. Solid waste collection from individual institutional or domestic customers (HH);
4. Solid waste collection from communal containers and transfer stations (CC);
5. Cleaning of streets, drains, markets, lorry parks, public parks and open spaces (PC);
6. Treatment, recycling and disposal of wastes (TD).

Service providers may be licensed in more than one category.

B. Classification of Service Providers

Service providers shall be classified into three classes (large, medium and small) according to their capacity to provide the services for which they are licensed. The minimum capacity required for each class is given below for each category of service:

Minimum Capacities of Service Providers

Service Category	Class		
	Small (3)	Medium (2)	Large (1)
Dislodging (DS)	1 vacuum tanker	2 vacuum takers	4 vacuum tankers
Public Toilets (PT)	€10m/yr ^a	€60M/yr ^a	€150M/yr ^a
House to house solid waste collection (HH)	4 T/day ^b	15 T/day ^b	30 T/day
Solid waste collection in containers (CC)	2 container lifters	4 container lifters	6 container lifters
Cleaning of public spaces (PC)	€10m/yr ^a	€60M/yr ^a	€150M/yr ^a
Treatment, recycling and disposal (TD)		€100M/yr ^a	€500M/yr ^a

Note:

(a) Audited annual turnover

(b) Nominal capacity:

Compactor truck 8 T/day

Side-loader/tipper 4 T/day

Tractor/power tiller: 3 T/day

Light truck (pickup) 2 T/day

Donkey or hand cart: 1 T/day

In addition, service providers in any category must have the following resources:

Minimum General Resources of Service Providers

Resource Class

	Small (3)	Medium (2)	Large (1)
Qualified sanitary engineer	-	-	Yes
Qualified technician	-	Yes	Yes
Financial and general administrator	Yes	Yes	Yes
Office/kiosk/container open to public	Yes	Yes	Yes

Schedule 8: Approved Containers

For Solid Waste:

1. 60-70 litre plastic/galvanized container
2. 80 litre plastic/galvanized container
3. 120 litre plastic/galvanized container
4. 240 litre plastic/galvanized container
5. 1100 litre plastic/galvanized container

Schedule 9: Types of Wastes Acceptable for Disposal

1. House hold solid waste
2. Industrial solid waste
3. Commercial solid waste
4. Hazardous waste (except toxic, flammable, corrosive radioactive, explosive materials, pesticides, asbestos or otherwise dangerous materials as defined by the Environmental Protection Agency).
5. Bio- medical waste
6. All litter and clandestine piles of wastes, including street litter, street sweepings, waste from drain cleansing and dead animals.

Schedule 10: Drainage Reservations

1. Primary Drain (storm drain) 10 metres distance on either side of drain
2. Secondary Drain (Roadside drain) 4 metres distance from drainage
3. Residential/Tertiary Drainage 2 metres distance from drainage.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(BUSINESS OPERATING PERMIT) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Permit

30.1. 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

30.2 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

30.3 Such permit granted under this Bye-law shall expire on the 31st day of December each year.

Display

30.4 A business permit granted under this Bye-law is not transferable and shall be displayed in a conspicuous part of the premises on which this business is operated.

Liability to Pay Property Rate

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

Powers of Entry

- 30.6 (a) Subject to the provisions of this Bye-law, any officer or person duly authorised by the Assembly may during the business hour enter into or upon any building, premises or land within the area of authority of the Assembly.
- (b) No person shall obstruct or interfere with any officer or person duly authorised by the Assembly in the performance of any duties assigned to him under this Bye-law.

Withdrawal of permit and closure of business

- 30.7 (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 a written authorisation of the Assembly or if the person granted the permit contravenes any provision of this Bye-law.
- (b) The Assembly may close down any business or suspend its activities until the appropriate fee is paid for the granting of a permit for the operation of business.

Winding-Up

- 30.8 (a) Where for any reason a company or a person winds up its business entirely or suspends its operation, the Assembly shall be notified in writing immediately, about such a closure or suspension of business activities
- (b) Any company or person that fails to comply with the forgoing sub Section shall continue to be liable for the payment of appropriate fee for the permit.

Failure to Pay

30.9 A person who fails to pay the required fees at the required time shall be liable to 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 day of the final payment of the fees, notwithstanding any criminal prosecution that might be instituted against such an offender.

Offence and Penalty

30.10 Any person who contravenes any provision of this Bye-law commits an offence and shall be liable on summary conviction to a fine of at least hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

Interpretation

30.11 In this Bye-law, unless the context otherwise requires - "*business*" includes occupation, profession or trade; "*premises*" includes part of the premises.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(CONTROL OF RATES COLLECTION AND RATE COLLECTORS) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Authority Levy

- 31.1 (a) No person or group of persons other than the Assembly shall have the power to make a levy or any given rate within the area of authority of the Assembly.
- (b) The Assembly shall have 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

- 31.2 (a) The Assembly may, in writing authorise any suitable person to collect revenue in respect of any specified rate.
- (b) Without prejudice to Section (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 conditions as the Assembly shall endorse on the notice.
- (c) No person other than an authorised rate collector or agent of the Assembly shall collect rates levied by the Assembly.
- (d) It shall be the duty of every rate collector or agent -
- i. To furnish the Assembly in writing with a nominal roll of the rateable persons or itmes in the area in respect of which they have been authorised.
 - ii. To collect and receive from such persons liable for the payment of rates in the area, the rates payable by each of such persons;
 - iii. To report to the Assembly, the name of any person who has failed to pay the amount due from him.

Rateable Person

31.3 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 moveable or immovable property in the area.

Exemptions from and Remission of Rates

- 31.4 (a) Notwithstanding the provisions of the foregoing Section, the following categories of persons shall be exempted from the payment of special rate -
- i. Any person who is 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 more than seventy (70) years old.
- (b) The Assembly may reduce or remit payment of any rate on account of the poverty or old age of any person who is more than seventy years old.
- (c) The following tenements are exempted from assessments and rating:
- i. all premises appropriated exclusively for the purpose of public worship and registered with 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 hospital and clinics; and
 - v. premises owned by diplomatic missions as may be approved by the Minister of Foreign Affairs.

Duty of Rateable Persons

- 31.5 (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 persons or persons duly appointed or authorised by the Assembly to collect and receive such rate at the time and place specified by the Assembly when publication of notice in respect of such rate is made,
(b) Notwithstanding Section (a) above, any rate collector or any person authorised by the Assembly may at all reasonable times enter any premises for the performance of his duties.

Property Rate

- 31.6 (a) Without prejudice to the provision in Section 31.1 of this Bye-law, a property rate of an amount fixed by a resolution of the Assembly shall be payable by owners of buildings situated within the area of authority of the Assembly on the assessed value of each building.
(b) A property rate on un-assessed property proceedings shall be paid to the Assembly by the owners of the building.

Proceedings

- (c) If the amount of rate due in respect of any premises is not paid within the period of sixteen (16) days upon becoming due, the Assembly shall cause to be affixed on a conspicuous part of the premises a notice to the effect that if the amount of the rate payable in respect of the premises and any cost incurred in the process, is not paid within seven (7) days from the date of the notice, civil proceedings will 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 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.

Prospective Buyers of Properties

- 31.7 Every prospective buyer of a property within the Metropolis shall obtain from the Assembly a property rate payment clearance prior to the sale.

Employer to Deduct Rate

- 31.8 (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 by the Assembly from the remuneration of any employee employed by him who resides in the area of authority of the Assembly.
(b) In this Section, "employee" includes a commission agent and any other person in consideration for a commission or allowance.
(c) All such sums deducted under this Section shall be held by the employer on behalf of the Assembly and shall be paid to the Assembly within thirty 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 Section above commits an offence.
(e) The employer shall be indemnified in respect of any such acts undertaken by him in pursuance of the foregoing provisions.

Receipt for Payments

- 31.9 (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 authorised servant, agent or officer of the Assembly.

Obstruction of Officer

- 31.10 Any person who abuse or wilfully obstructs any rate collector or any 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.

Offence

- 31.11 (a) A person commits an offence who -
- i. Without a 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, incites another person to refuse to pay rates 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 persons 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.
- (b) A rate collector or agent commits an offence, where he or she -
- i. fails to deposit with the Assembly any sum of money collected as a rate by him/her;
 - 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. wilfully fails to carry out any duty imposed upon him/her as a rate collector or an agent under this Bye-law.
- (c) Any penalty imposed on an offender for an offence under this Bye-law shall be without prejudice to any other action the Assembly may decide to take in the case of such defaulting rate collector or agent.
- d. Where the Assembly may have to take steps to recover any amount owed it, the defaulter shall be charged with the cost of the recovery.

Penalty

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

Miscellaneous Provisions

- 31.13 Nothing in this Bye-law shall prevent the Assembly from providing for the issuance of permit for temporary structures cited within the Metropolis.
- 31.14 The Assembly may also, as a revenue control measure, provide for the periodic renewal of permits within a year.

Interpretation

- 31.15 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 Metropolis;
- “*special rate*” means a rate made and levied over a specified area in the Metropolis for the purpose of a specified project approved by the Assembly.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(ENTERTAINMENT LICENSED BYE-LAW, 2018)**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

License

- 32.1 (a) No person shall organise any form of entertainment within the administrative area of the Assembly without first obtaining a license for that purpose.
- (b) Notwithstanding Section (a) above, no license shall be required for-
- i. Entertainment wholly devoted to charity; and
 - ii. Entertainment for which no fees are charged.
- (c) A license issued for Section (a) above shall-
- i. Not be transferable; and
 - ii. Be valid only for the day or year in which it is issued.

- (d) For the purposes of this provision, entertainment also includes
- i. Sales promotions
 - ii. Floats
 - iii. Commercial mobile vans, and
 - iv. Carnivals
 - v. Video shows
 - vi. Concerts, musical or theatrical performances
 - vii. Cinemas
 - viii. Fairs
 - ix. Circus
 - x. Discotheques
 - xi. Clubs

Activities for which License may be obtained

32.2 (a) The Assembly shall issue a license for -

- i. Concerts, theatrical performances, video shows, cinema, fairs, circuses, dances, discotheques and other entertainments to which money is paid or reward given; and
 - ii. Billiards, horse racing, boxing, soccer and lawn tennis unless these activities are being devoted to charity.
- (b) The Assembly shall determine the fees to be paid under Section (a) above by a resolution of the Assembly and may grant exemption from the payment of such fee as it may consider appropriate.

Hours of Operation

32.3 A license issued under this Bye-law shall permit any activity for which the license was issued to take place between 2 pm and 12 midnight on the specified day unless otherwise directed.

32.4 The Assembly shall issue a permit for any activity beyond the stipulated hours under subSection (4) above, except that such a permit shall be at least twice the cost of the ordinary permit.

No Admittance to Children

- 32.5 (a) No promoter of any entertainment shows or activities shall admit any child below the age of 18 years unaccompanied by an adult relative.
- (b) Promoters of entertainment shows or activities shall indicate in a conspicuous place whether such show or activity is restrictive to adults only.
- (c) Where admittance to an entertainment activity is restricted to adults only, no child below the age 18 years shall be admitted to such entertainment activity.
- (d) Where admittance is made to the general public without restrictions, it shall not be an offence for children under 18 years of age accompanied by adult relative to be admitted notwithstanding Section 32.5(a).
- (e) Notwithstanding the provision in Section 32.5d above, no promoter of an entertainment show or activity shall allow a child below the age of 18 years to remain on the premises after 9:30 pm.

Right of Entry

- 32.6 (a) An officer of the Assembly duly authorised shall have the right of entry to any premises of entertainment at any reasonable time for purposes of inspection.
- (b) No person shall obstruct or prevent any officer so acting hereunder.

Power to Revoke License

32.7 The Assembly may revoke an entertainment license and the holder be convicted of an offence contrary to any provisions of this Bye-law.

Offence and Penalty

32.8 A person who contravenes any provision of this Bye-law commits an offence and shall be liable on summary conviction to a fine not below hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(OPERATION OF VIDEO AND CINEMA HOUSES) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Licence to Operate

- 34.1 (a) No person shall operate a video or cinema house within the area of authority of the Assembly unless he first obtains a licence to do so from the Assembly.
- (b) Such licence shall be valid from the date of issue and shall expire on the 31st of December of the year in which it was issued.
- (c) The fee payable to the Assembly for the issuance of such licence in accordance with this Bye-law shall be fixed as by a resolution of the Assembly.

Hours of Operation

- 34.2 No person shall operate a video or cinema house between the hours of 6.00 am and 6.00 pm except on weekends or public holidays.

No Admittance for Children

- 34.3 Notwithstanding Section 34.2 above, no operator of a video or cinema house shall admit any child under the age of 18 years to enter or remain on the premises unaccompanied by an adult relative.

Film Rating to be Displayed

- 34.4 (a) No person shall show a film in a video or cinema house without first indicating the title and rating of the film to be shown in a conspicuous place outside the video or cinema house.
- (b) Operators of video or cinema show shall indicate whenever such entertainment is restricted to adults only by a notice board in a conspicuous place outside the house.

Inspection of Premises for Operation

- 34.5 No place within the area of authority of the Assembly shall be used as a video or cinema house for commercial purposes unless such premises have been inspected and approved by an officer of the Assembly authorised to do so.

Sound to be Kept Down

- 34.6 No proprietor of a video or cinema house shall allow the volume of the sound or soundtrack of the film being shown or any appliances used to be so loud as to cause annoyance, disturbance or nuisance to residents in the area.

Revocation

- 34.7 Any licensee who fails to comply with any provision of this Bye-law may have his licence withdrawn or revoked by the Assembly.

Offence and Penalty

- 34.8 Any person who contravenes any provision of this Bye-law commits an offence and shall be liable on summary conviction to a fine of not less than hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

Interpretation

- 34.9 In this Bye-law, a reference to a video or cinema house is also a reference to a gaming house or centre.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(USE OF PUBLIC ROADS) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Unauthorised Prohibited

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

Washing Prohibited

- 35.2 (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 Metropolis.
- (b) Washing of vehicles shall be undertaken in such fuel stations, garages and washing bays as are equipped and licensed for the purpose.

Obstruction

- 35.3 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

- 35.4 No person, organisation 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 Metropolitan Engineer and/or the Metropolitan Roads Engineer.

Litter Bins in Vehicles

- 35.5 No person shall drive a commercial vehicle other than a taxi within the Metropolis without having on board an approved litter bin.

Littering from Moving Vehicles

- 35.6 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 unless the contrary is proved by him.

Covering of Trucks

- 35.7 All trucks and other vehicles used for the conveyance of refuse, sand, stones, quarry dust, sawdust, wood waste or other such material within the Metropolis shall be appropriately covered to prevent such material flying off such vehicles.

Repair of Vehicles

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

Stopping and Parking

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

Painting of Houses / Stores/ Temporary Structures

- 35.10 All houses, stores and temporary structures situated along public roads or streets shall be repainted at least once every five years unless otherwise directed by the Assembly.

Offences

- 35.11 A person commits an offence, when he/she -
- 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 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 authorised 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

- 35.12 (a) Whoever contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of not less than hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

- (b) There shall be a further fine of 25 penalty units for each day on which the offence is continued after written notice of the conviction has been served on the offender in the case of a continuing offence.
- (c) Alternative to penalty (b) above, there shall be a minimum spot fine of to be exacted where necessary by authorised officers of the Assembly and for which an appropriate receipt shall be issued.

Interpretation

35.13 In this Bye-law, unless the context otherwise requires,

"heavy duty truck" includes timber trucks, articulated trucks, tipper trucks, tankers, cargo trucks or any haulage truck.

TAMALE METROPOLITAN ASSEMBLY (TaMA) (OPERATION OF DAY CARE CENTRE) BYE-LAW, 2018

In exercise of the powers conferred on the Tamale Metropolitan Assembly section 181 of the Local Governance Act, 2016 (Act 936) and section 117 of the Children's Act, 1998 (Act 560), this Bye-law is hereby made as follows-

Application to Operate a Day Care Centre

- 36.1 A person shall not operate a day care centre in the Metropolis unless the person has a permit to operate from the Metropolitan Social Welfare Department.
- 36.1.1 An application for a permit to operate a day care centre shall be submitted to the Metropolitan Social Welfare Department
- 36.1.2 The application shall include
 - a. The name and contact of the operators of the centre
 - b. The company registration particulars of the centre
 - c. The particulars of premises to be used as the centre including the physical address
 - d. Copies of the fire certificate, health certificate and building permits
 - e. Names and qualifications of staff at the centre
 - f. Proposed ratio of child to Care Giver
 - g. Disaster management plan
 - h. Two sureties one of whom must be an active or retired health care practitioner and the other an active or retired educationist.

Inspection of Premise for Day Care Centre before Grant of Permit

- 36.2 The department shall inspect a premise designated as a day care centre before approving the use of the premise as a day care centre.
- 36.2.1 The department shall provide at least 24 hours notice to the applicants before the use of a proposed premise.
- 36.2.2 Despite section 36.2 of this Bye-law, the Assembly shall inspect the premise of a proposed day care centre within 3 months from the date of the application.

Conditions for the Grant of a Permit

- 36.3 A person shall not be granted a permit to operate a day care centre unless
 - a. the premise has undergone and obtained all building and safety permits including fire and health safety permits.
 - b. the premise is safe, secure and suitable for their purpose, and adequate space is provided.
 - c. there are sufficient play areas for activities and scope for free movement.
 - d. babies have an uncluttered, hygienic and soft floor space on which to roll, crawl and move freely.
 - e. the rooms used in the premises are for the sole use of the childcare facility during the hours of operation.
 - f. premises are clean and arrangements to maintain hygienic conditions are in place.
 - g. the premise is well lit with adequate natural lighting, supplemented by artificial lighting. The premises are adequately ventilated.
 - h. reasonable arrangements are in place to ensure that the premises are free from insects and other pests.
 - i. the physical environment is, insofar as is reasonably practicable, suitable for children with disability.
 - j. children with special need are cared for by staff who have the necessary information and skills to care for them appropriately.
 - k. children are provided with suitable sleeping facilities away from the general play areas

Grant of Permit

- 36.4 A permit shall be granted for a period of one year and shall be renewable at least three months to the expiration of the existing permit.
- 36.4.1 Prior to the grant of the permit, the applicant shall pay the prescribed permit fee, which shall be determined by the Assembly on a yearly basis.
- 36.4.2 An operator of a day-care centre shall display at a conspicuous place the permit granted for the operation by the Assembly.

Inspection of Premise for Day-care Centre after grant of Permit

- 36.5 The department shall inspect the premises, books, accounts and any other records of a day-care centre at least once every six months.
- 36.5.1 The department shall provide at least 24 hours notice to an operator of a day-care centre before proceeding to inspect the premise.
- 36.5.2 Notwithstanding Section 36.5.1, the department may periodically, visit and or inspect a daycare centre without notice.
- 36.5.3 The report of the inspection shall be submitted to the social services sub-committee of Assembly.
- 36.5.4 An operator of a premise may request for a copy of the inspection report.
- 36.5.5 Where the report of the inspection reveals lapses in the operation of the day-care centre including unhealthy environment and mismanagement of the centre, the department shall require the operator to remedy the lapses within 3 months from the date of notice.
- 36.5.6 Where the operator does not remedy the lapses within the stipulated time, the department shall give notice of a withdrawal of permit.
- 36.5.7 A permit shall finally be withdrawn a month after notice of withdrawal has been given.
- 36.5.8 (a) Where a permit has been withdrawn, the operator may re-apply for a new permit.
(b) The application shall be treated as a fresh one by the Assembly.

Existing Operators

- 36.6 A person who owns or operates a day care centre before the commencement of this Bye-law and who intends to operate the day-care centre shall apply to the department within six months of the commencement of this Bye-law.
- 36.6.1 The Assembly shall close down all existing Day care centres that do not have permits after the expiration of six months period provided above.

Offences and Penalty

- 36.7 The offences provided for in Section 120 of the Children's Act, 1998 (Act 560) shall apply under this Bye-law.
- 36.7.1 An operator who refuses to display a permit as required by this Bye-law commits an offence and on summary conviction shall be liable of not less than hundred penalty units and at most two hundred and fifty penalty units.

Interpretation

- 36.8 In this Bye-law, unless the context otherwise requires -
 "Day Care Centre" means an early childhood development establishment where children below compulsory school going age are received and looked after for a day or a substantial part of the day with or without a fee;
 "Department" means the Social Welfare and Community Development Department of the Metropolitan Assembly

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
 (OPERATION OF NON-GOVERNMENTAL ORGANISATIONS BYE-LAW, 2018)**

In exercise of the powers conferred on the Tamale Metropolitan Assembly Section 181 of the Local Governance Act, 2016 (Act 936), this Bye-law is hereby made as follows-

Application to Operate a Non-Governmental Organisation

- 37.1 A person shall not operate a Non-Governmental Organisation (NGO) in the Metropolis unless the person has a permit to operate from the Metropolitan Social Welfare Department.
- 37.1.1 An application for a permit to operate an NGO shall be submitted to the Metropolitan Social Welfare Department

- 37.1.2 The application shall include -
- a. The name and contact of the operators of the organisation
 - b. The company registration particulars of the organisation
 - c. The particulars of premises to be used as the organisation including the physical address
 - d. Copies of the fire certificate, health certificate and building permits
 - e. Names and qualifications of staff at the organisation
 - f. Disaster management plan
 - g. Two sureties one of whom must be an active or retired security officer and the other an active or retired educationalist.

Inspection of Premise for Non-Governmental Organisations before grant of Permit

- 37.2 The department shall inspect a premise designated as an NGO before approving the use of the premise as an NGO.
- 37.2.1 The department shall provide at least 24 hours notice to the applicants before the commencement of a proposed premise.
- 37.2.2 Despite Section 37.2 above, the Assembly shall inspect the premise of a proposed NGO within 3 months from the date of the application.

Conditions for the Grant of a Permit

- 37.3. A person shall not be granted a permit to operate an NGO unless
- a. the designated premise for the NGO has undergone and obtained all building and safety, permits including fire and health safety permits.
 - b. the premise is safe, secure and suitable for their purpose,
 - c. the facility is accessible to children and persons with disabilities, and
 - d. any other conditions as the Assembly may from time to time specify.
 - e. The NGO registers with the Assembly.
 - f. Assembly provides a written recommendation to the Department upon payment of Fee specified the Fee Fixing Resolution of the Assembly.

Grant of Permit

- 37.4 A permit shall be granted for a period of one year and shall be renewable at least three months to the expiration of the existing permit.
- 37.4.1 Prior to the grant of the permit, the applicant shall pay the prescribed permit fee, which shall be determined by the Assembly on a yearly basis.
- 37.4.2 An operator of an NGO shall display at a conspicuous place the permit granted for the operation by the Assembly.

Inspection of Premise for Non-Governmental Organisations after Grant of Permit

- 37.5 The department shall inspect the premises, books, accounts and any other records of an NGO at least once every six months.
- 37.5.1 The department shall provide at least 24 hours notice to an operator of an NGO before proceeding to inspect the premise.
- 37.5.2 The report of the inspection shall be submitted to the social services sub-committee of the Assembly.
- 37.5.3 An operator of a premise may request for a copy of the inspection report.
- 37.5.4 Where the report of the inspection reveals lapses in the operation of the NGO including unhealthy environment and mismanagement of the organization, the department shall require the operator to remedy the lapses within 3 months from the date of notice.
- 37.5.5 Where the operator does not remedy the lapses within the stipulated time, the department shall give notice of a withdrawal of permit.
- 37.5.6 A permit shall finally be withdrawn a month after notice of withdrawal has been issued.
- 37.5.7 Where a permit has been withdrawn, the operator may re-apply for a new permit as if the application was a fresh one.

Existing Operators

- 37.6 A person who owns or operates an NGO before the commencement of this Bye-law and who intends to operate the NGO shall apply to the department within six months of the commencement of this Bye-law.
- 37.6.1 The Assembly shall close down all existing NGOs that do not have permits after the expiration of six months period provided above.

Offences and Penalty

- 37.7 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 of at least hundred penalty units and at most two hundred and fifty penalty units; or to a term of imprisonment not exceeding six months or to both.
- 37.7.1 An operator who refuses to display a permit as required by this Bye-law commits an offence and on summary conviction shall be liable of not less than hundred penalty units and at most two hundred and fifty penalty units.

Renewal of Registration with the Assembly

- 37.8 All registrations with the Assembly are renew annually.

Interpretation

- 37.9 In this Bye-law, unless the context otherwise requires –
“*Department*” means the Social welfare and Community Development Department of the Metropolitan Assembly.

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(ABATEMENT OF NOISE) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Place for Sale, Recording of Musical Products.

- 38.1 No audio cassette, 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.

Licence

- 38.2 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

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

Provision of Sound-Proof Room

- 38.4 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 so as to eliminate any unnecessary loud noise or nuisance to the public.

Withdrawal of Licence

- 38.5 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 Nuisance to Neighbours

- 38.6 (a) It shall be unlawful for night clubs, restaurants, drinking bars, saloons, hotels and other such outfits to play music the blare of which causes annoyance, nuisance or disturbance to the neighbours.
- (b) Where such music is provided in any such place as mentioned above it shall be so provided as to be heard only within the confines of such night club, restaurant, drinking bar, saloon or hotel unless otherwise expressly directed by the Assembly.

Standard of Noise Levels

38.7 The ambient noise level standards specified in the Schedule hereto 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

38.8 It shall not be an offence under this Bye-law for religious institutions to play music at any approved place provided that they shall not extend beyond 10.00 p.m.

Permits to be Obtained

38.9 Any person or body wishing to play music for any reason in public beyond 10 .00 p.m. shall apply for a permit authorising such play and whoever does so without a permit commits an offence.

Community Information Centres

38.10 A person shall not operate a community information centre unless the person has obtained a license from the Assembly.

38.10.1 An operator or owner of a community information shall be required to comply with the provisions of this Bye-law.

38.10.2 A community information centre shall be used only for the purpose for which the Assembly provided the license.

Guidelines by the Assembly

38.11 The Assembly shall on an annual basis issue guidelines on the management of noise and related matters in the Metropolis.

Offence and Penalty

38.12 Any person, establishment or institution which contravenes any of the provisions of this Bye-law or any licence granted hereunder commits an offence and shall be liable on summary conviction to a fine of not less than hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

SCHEDULE

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(ABATEMENT OF NOISE) BYE-LAW, 2018**

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

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(SLAUGHTERHOUSE) BYE-LAW, 2018**

In exercise of the powers conferred on the Tamale Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made -

Slaughtering of Animals Restricted

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

Prohibition of Sale of Meat Slaughtered Elsewhere.

- 39.2 (a) No person shall sell or offer for sale in any town within the administrative area of the Assembly or within the precincts of such town the flesh of any cattle or domestic animal not killed in a slaughterhouse or other place appointed for the slaughter of animals except where the flesh or meat is imported and cleared through the Customs, Excise and Preventive Service.
- (b) In case of emergency, animals may be slaughtered by an order of the Metropolitan Director of Health Services at a place other than a public slaughterhouse, provided that in every such case, the carcass and all the organs of the animal so slaughtered are brought without delay to the Medical officer of Health for examination by the officer or person authorised by the Assembly.

Time of Slaughter

39.3 Animals may be slaughtered between the hours of 5 a. m. and 5 p. m. each day.

Care of Animals Awaiting Slaughter

39.4 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 before Slaughter

39.5 Every animal brought to the slaughter house for slaughter should be inspected both before and after slaughter by the Director of Health of Veterinary Services or by an officer appointed by him. All organs and parts of the slaughter carcasses 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 by the Director of Health of Veterinary Services as fit for human consumption.

Method of Slaughtering

- 39.6 (a) All animals slaughtered shall be killed by cutting the throat after stunning slaughter.
- (b) No animal may be slaughtered within the sight of another living animal.
- (c) No person shall treat the skin of any animal after slaughter by the application of harmful methods such as burning of vehicle tyres.
- (d) Subject to the provisions of the foregoing sub section, a Health Officer or any person employed by the Assembly to exercise control over a slaughterhouse 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 a slaughterhouse or such designated places.

Transport after Slaughter

39.7 No vehicle other than a vehicle hygienically equipped and approved by the after Director of Health of Health Services 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 centres, hospitals or other organisations, except with the approval and under a permit issued and signed by the Director of Health of Health Services.

Surrender of Diseased Carcass

39.8 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

- 39.9 (a) No person shall be allowed to slaughter an animal for sale to the public in the Metropolis or any other approved slaughterhouse within the jurisdiction of the Assembly unless he is a holder of an appropriate licence duly issued by the Assembly as specified under the Schedule hereto.
- (b) All butchers and their apprentices shall be medically examined by a Medical Officer once every twelve months as part of the conditions for the grant and renewal of the licence.

Revocation of Licence

- 39.10 Subject to the approval of the Assembly, any license may be suspended or cancel led and the holder's name removed from the register by the Director of Health Services where:
- a. an owner or a registered person has been convicted of an offence under this Bye-law; or
 - b. the Director of Health of Health Services 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
 - c. the conduct and behaviour of such person is contrary to the intent and purpose of this BYE-LAW.

Cleaning and Disinfection

- 39.11 (a) The officer-in-charge shall at all times arrange for the proper cleaning and disinfection of the slaughter house and its precincts after the slaughtering and dressing of carcass are completed.
- (b) All persons engaged in slaughter, dressing or sale of animals should wear aprons approved by the Director of Health Services.

Offence and Penalty

- 39.12 Any person who contravenes any of the provisions of this Bye-law or of any direction or any of the conditions of any licence issued thereunder commits an offence and shall be liable on summary conviction to a fine of at least hundred penalty units and at most two hundred and fifty penalty units or to a term of imprisonment not exceeding six months or to both.

Revocation

- 39.13 All previous Bye-laws regulating slaughterhouses are hereby revoked.

Interpretation

- 39.14 In this Bye-law, unless the context otherwise requires-
 "Assembly" means the Metropolis Health Department of the Assembly.

SCHEDULE 1

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(SLAUGHTERHOUSE) BYE-LAW, 2018**

LICENCE FOR THE SLAUGHTER OF LIVESTOCK

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

Licence is hereby granted to.....of.....

for the slaughtering of livestock at.....

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

Fee GH¢.....

Date.....

.....
Metropolitan Director of Medical Services

- 1. Any nuisance caused by the slaughtering must be abated by the person responsible without delay whether or not notice is given to such person.
- 2. No flesh of any animal which has not been slaughtered under this licence shall be sold as food for human consumption.
- 3. The Tamale Metropolitan Assembly (Slaughterhouse) Bye-law, 2018 must be complied with.

SCHEDULE 2

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(SLAUGHTERHOUSE) BYE-LAW, 2018**

LICENCE FOR BUTCHER

Licence 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 Tamale Metropolitan Assembly area.

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

Fee GH¢..... Date.....

.....
Metropolitan Director of Health Services

SCHEDULE 3

**TAMALE METROPOLITAN ASSEMBLY (TaMA)
(SLAUGHTERHOUSE) BYE-LAW, 2018**

LICENCE FOR BUTCHER 'S ASSISTANT

Licence is hereby granted to.....of
.....as a butcher's assistant for the year ending 31st December, 20.....

Fee GH¢..... Date.....

.....
Metropolitan Director of Health Services

Citation

These Bye-laws shall be cited as; Tamale Metropolitan Assembly Bye-laws, 2018

Made at a meeting of the Tamale Metropolitan Assembly held on the 11th of June, 2018

APPLICATION

Area of Jurisdiction of Tamale Metropolitan Assembly and Application

The Tamale Metropolitan Assembly, hereinafter referred to as the Assembly is the authority established by Act 2016 (936) for the area defined by the specified schedule of that Act whose jurisdiction is defined further in LI 2068.

These Bye-laws shall be effective in the area of jurisdiction of Tamale Metropolitan Assembly and remain in force according to the powers of the Assembly and its functions for which they are applicable.

Procedures

These Bye-laws have been enacted in accordance with the established procedures in Act 936 and have been ratified by the Assembly and gazetted in the Local Government Bulletin No..... dated

SIGNED:

HON. ALHAJI ABUBAKARI ADAM TAKORO

*Presiding Member
Tamale Metropolitan Assembly*

SIGNED:

ADBUL-RAHAMAN B. AHMED

*Metropolitan Co-ordinating Director
Secretary to Tamale Metropolitan Assembly*

