



REPUBLIC OF GHANA

LOCAL GOVERNMENT BULLETIN

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CERTIFICATION

This is to certify that these By-laws have been reviewed in accordance with section 182 sub-sections (1), (2) and (3) of the Local Governance Act, 2016 (Act 936) by the Central Regional Coordinating Council.

It is consistent with the Local Governance Act, 2016 (Act 936) and other relevant enactments and therefore approved for publication into gazette for its enforcement by the Assembly.

Approval Date:.....May, 2023

.....
REGIONAL COORDINATING DIRECTOR

UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY
BY – LAWS, 2023

1. INTRODUCTION

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

2. TITLE

These By-laws shall be known and called the Upper Denkyira East Municipal Assembly By-laws, 2023.

3. APPLICATION

The Upper Denkyira East Municipal Assembly By-laws shall apply to all towns and villages in the Municipal or within the area of Authority and Jurisdiction of the Assembly.

4. AMENDMENT

As and when it shall become necessary, the Assembly may decide to amend any section or part of these By-laws approval by the Assembly at a General Assembly meeting.

5. PAYMENT OF A PERCENTAGE OF FINE TO THE MUNICIPAL ASSEMBLY

The Assembly shall be entitled to Fifty Per cent (50%) of all Court fines emanating from prosecutions or any Court action initiated by the Assembly in accordance with these By-laws. The Assembly shall determine the allocation of such fines, with priority to developmental projects within the Municipal.

6. COMPENSATION

The Assembly shall have the right to demand for compensation to be paid to the Assembly in all prosecutions under these By-laws or any court action involving the Assembly.

7. CIVIL ACTION

Any penalty imposed on the offender for an offence or breach under These By-laws shall be without prejudice to any civil action that the Assembly may decide to commence.

8. REVOCATION

All Upper Denkyira East Municipal Assembly By-laws in existence before the coming into force of these By-laws are hereby revoked.

9. ENACTMENT

Made at a meeting of Upper Denkyira East Municipal Assembly held on theof.....20.....

.....
(PRESIDING MEMBER)

.....
(MUNICIPAL COORDINATING DIRECTOR)

10. APPROVAL

Approved by the Central Regional Coordinating Council this:-.....day of20.....

.....
(REGIONAL COORDINATING DIRECTOR)

A. Upper Denkyira East Municipal Assembly (Communal Labour/ Environmental Sanitation Day) By-laws, 2023

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

1. Organisation of Communal Labour

The Assembly or any “Town or Area Council, Unit Committee or person authorized by the Assembly (hereinafter referred to as Organizing Authority)” may from time to time organize Communal Labour in any town or village or electoral area within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as the “Assembly”) as the Assembly or Organizing Authority deems necessary.

2. Notice of Communal Labour

- (1) The Assembly or organizing authority shall give seven (7) days’ notice to the residents of the relevant town or village or electoral area before the date of the communal labour.
- (2) The Assembly or organizing authority may, where the circumstances so require give such shorter notice as it may determine.
- (3) The notice shall include:
 - (a) The date and time on which the communal labour is to be organized.
 - (b) The nature of communal labour to be undertaken.

3. Participation in communal labour

- (1) Every able-bodied person resident in the relevant town or village or electoral area shall take part in any communal labour organized under paragraph (1) of these By-laws.
- (2) The Assembly or organizing authority may exempt any person from taking part in communal labour organized by it if it is satisfied that:
 - (a) The person is sick.
 - (b) The person is required to appear before a court or help the police in any investigation:
 - (c) The person is attending the funeral of a relative or such person as the Assembly or organizing authority may approve or
 - (d) Such circumstance exists in relation to the person as to make it unreasonable for him to take part in the communal labour.

4. Environmental Sanitation Day

- (1) The hours of 6:00 am to 10:00 am on the first Saturday or any other appropriate day of each month shall be set aside as ‘Environmental Sanitation Day’, for all able-bodied youth and adults in every community to undertake the activities enumerated in the schedule to these By-laws.
- (2) On the same day, the Assembly, Zonal Councils, Unit Committees, Traditional Authorities, Corporate bodies, Non-Governmental and Governmental Organizations and community members using their own resources shall intensify their routine operations and undertake the cleaning of public places of convenience and other sanitary facilities, open spaces, drains, market places within the communities.

5. Duty of business owners

On the ‘Environmental Sanitation Day’, all business owners including bar keepers, chop bar keepers, market traders and shop/storekeepers using their own resources shall undertake the cleaning of markets, chop bars, shops and stalls, and flushing of drains etc.

6. Duty of transport operators

The Ghana Private Road Transport Union, the Metro Mass Transport and the Lorry Park and bus stations personnel and any Transport Union or Organisation, shall, on the same day using their own resources undertake the general cleaning of all drains, lorry parks and bus stations.

7. Duty of Office workers etc.

On the eve of ‘Environmental Sanitation Day’, workers of offices, commercial houses and garages shall also undertake the general cleaning of their offices and business premises.

8. Restricted vehicular movement on Environmental Sanitation Day

- (1) There shall be minimum vehicular movement either into or out of an area declared to be the target of sanitation day.
- (2) No vehicles shall be allowed to enter or leave a target area except those used for emergency service.

9. Person to participate in Environmental Sanitation Day

- (1) A person who is 18 years and above but below 60 years in a town or village or electoral area shall take part in any Environmental Sanitation Day organized under paragraphs 1, 2, 3, 4 and 5 of these By-laws.
- (2) The Assembly may exempt any person from taking part in any Environmental Sanitation Day if it is satisfied that
 - (a) The person is sick
 - (b) The person is required to appear before a law court or help the police in any investigation
 - (c) Such circumstance exists in relation to the person as to make it unreasonable for him to take part in the Environmental Sanitation Day.

10. Defaulters

The Assembly where necessary, shall lock all lockable stores and shops of defaulters of Environmental Sanitation Day and seize all wares displayed for sale by defaulters until a fee (Fee in lieu of participation in the Environmental Sanitation Day) fixed by a resolution of the Assembly is paid to the Assembly by the defaulters.

11. Contribution in lieu of Communal Labour/Environmental Sanitation Day

- (1) Any person or group of persons who by nature of that persons or group of persons' work or business or any other reason cannot take part in Environmental Sanitation Day shall prior to the Environmental Sanitation Day inform the Assembly in writing giving reasons for not taking part and shall pay to the coffers of the Assembly a contribution in lieu of participation in Environmental Sanitation Day, an amount fixed by a resolution of the Assembly.
- (2) Failure to pay the amount shall constitute refusal to take part in the Environmental Sanitation Day.

12. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health officer or any officer of the Assembly who are acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

13. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than sixty (60) penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (2) Any person who, without lawful justification or excuse, the proof of which shall be on him instigates any person to refuse to take part in any communal labour/Environmental Sanitation Day organized under these By-laws commits offence and shall be liable on conviction to a fine of not less than sixty (60) penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (3) Subject to sub-paragraph (1) of this paragraph the Court may, in addition to any punishment imposed on any person under sub-paragraph (1), sentence the person to undertake communal or productive labour of such nature and for such period as the court may determine.

14. Interpretation

In these By-laws unless the context otherwise requires

“able-bodied person” means physically strong person who is eighteen (18) years and above but below sixty (60) years.

B. Upper Denkyira East Municipal Assembly (Control of Local Information/Beating of Gong Gong) By-laws, 2023

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

1. Registration

Any Private Local Information Centre to be established or which is being operated in any town within the Area of Authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly', shall be required to be registered with the Assembly and shall obtain a Business Operational Permit that shall under these By-laws, expire on the 31st of December of each successive year.

2. Time to operate the Centre

All Private Information Centres operating within the Municipal shall be permitted to operate between the hours of 5.00 a.m. to 8.00 a.m. in the morning and 5pm to 8:00pm during the weekdays. However, during weekends, the operation hours in the morning will be extended to (5am -9am) while evening will remain same as that on weekdays. However, when there is an emergency (someone missing and emergencies national in nature) in the Community the center can be operated beyond the operational hours stated.

3. Operation Ethics

- (1) The center must be operated by one person who can be held accountable for any infractions in the operation center.
- (2) Playing of jingle must not go beyond 10 minutes. If there is any product to be marketed it should be done within the time frame
- (3) No center is to be turned into a radio station
- (4) The Information centers must not be used for partisan politics as well as chieftaincy disputes debates.

4. Payment of Fees

- (1) A Business Operation Fee that shall be determined by the Assembly's Fee Fixing Resolution, shall be payable by the owner of any Private Information Centre operating within the Area of Authority of the Assembly.
- (2) Any Public Advertisement that shall be made per day by any seller of Herbal Medicine Products or Drugs or any items, shall attract an advertisement fee that shall be determined by the Fee Fixing Resolution of the Assembly

5. Exemptions

- (1) There shall be exemption from payment of any fee to the Assembly, any public announcement that shall be made by the Local Authorities or any authorized person (s) in the town(s) where the Information Centres are being operated.
- (2) There shall also be exemption from payment of any fee, any Public Announcements that shall be made by any authorized Officer(s) of the Assembly or by any Government official.

6. Town Crier

The gong-gong shall be beaten by the Town Crier or any person appointed to do so by the Chief or Odikro or such authority for the time being exercising the powers of the Chief or Odikro.

7. Order to beat gong-gong

No Assembly member, Area Council or Unit Committee shall order the beating of the gong-gong without authority of the organizing traditional Head in any town or Village. Where no such authority exists, the Assembly may authorize anybody to beat the gong-gong in such town or village.

8. Refusal to answer the gong-gong

It shall be an offence to refuse to answer to the gong-gong duly authorized by the Organizing Authority with the consent of the Traditional Head.

9. Obstruction

- (1) Whoever assaults, insults, obstructs or seizes the gong-gong from the crier or incites others against the town crier or prevents him in any way from beating the gong-gong when he is duly authorized to do so shall be guilty of an offence and shall be liable to a fine not less than Twenty- Five (25) penalty units and not exceeding one hundred and fifty (150) penalty units or to a term of imprisonment not exceeding one (1) month or to both.
- (2) Where in the relevant town, village or community, the Traditional authority stands in the way of the Organising authority in the beating of the gong-gong, the Organizing authority may appeal to the (Executive Committee) of the Assembly for a written permission enabling that Organizing Authority to be responsible for the custody and the beating of the gong-gong in that Community.

10. Penalty

Except otherwise stated, any person who contravenes any provision of these By-laws commits an offence and shall on conviction, be liable to a fine 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 not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

C. Upper Denkyira East Municipal Assembly (Environmental Sanitation) By-laws, 2023

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

1. Removal of unauthorised structures

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) may order the destruction or removal of any bar or restaurant or unauthorised structure within the area of authority of the Assembly.
- (2) Where articles are arranged in front of a building in such a way that they constitute a danger of obstruction to any person or vehicle or the front of the premises is used to they provide accommodation of a sort to a person, animal or thing, they shall be removed without notice by the Assembly and the cost shall be borne by the owner or occupier.
- (3) To improve the scenic beauty of the Municipal, it shall be an offence for a person to construct a structure attached to a building or along streets without a written permission from the Assembly.
- (4) Where such structures exist without the written permission, the Assembly shall notify the owner or occupier to remove same. The Assembly’s written notice shall state the period required to remove the structure;
- (5) If the owner or occupier fails to remove the unauthorized structure, after the requisite notice has elapsed, the Assembly shall remove the structure and surcharge the owner or occupier with the cost of removing the structure;

2. Public pathways

A person who:

- (a) Parks a vehicle; or
- (b) Packs goods or other things in any public pathway or pavement commits an offence.

3. Posters for advertisement

- (1) No person shall affix posters for advertisement on any wall, tree, electric poles or fixtures other than-
 - (a) The spaces specifically provided or approved by the Assembly for such purposes; or
 - (b) The property owned or occupied by the advertiser.
- (2) Sub-paragraph (1) shall not apply to advertisements or posters for election or other such occasions initiated by the Government except that the Electoral Commission shall liaised with the Assembly on how election posters and banners shall be posted.
- (3) The Assembly shall cause people who disregard the posting of notices at appropriate places to clean the area where the notices or advertisement have been pasted.

4. Keeping clean environment

- (1) A person who throws litter, refuse or other matter in any place which may cause nuisance or block the free passage of water running or who throws in litter, refuse or other matter into gutters or drains commits an offence.
- (2) It shall be the responsibility of every commercial or industrial operator to clean its frontage and keep it neat at all times.
- (3) Where a commercial or industrial operator fails to clean its frontage, the Assembly through its appointed officers or agents shall draw the attention of the management to clean the premises within three (3) days.
- (4) Where the management fails to undertake the cleaning within the period of three (3) days, the Assembly shall undertake the cleaning for the aesthetic purpose and charge the commercial or the industrial concern a fee that commensurate with the work undertaken.
- (5) No empty cases, spare parts of vehicles or derelict vehicles and other articles shall be placed or allowed at places where:
 - (a) they may cause obstruction to traffic or other users of the road; or
 - (b) their presence may be an eyesore; or
 - (c) they are otherwise unpleasant to the public
- (6) The frontage of every commercial or industrial building shall be concreted or cemented or solidly paved.
- (7) Where the owner or occupier of commercial or industrial premises does not comply with the provisions of sub-paragraph (6) of this paragraph, the Municipal Engineer or Physical Planning Officer or approved agent of Assembly shall do so and surcharge the owner or occupier of the commercial or industrial building concerned.

5. Cleaning of premises

- (1) Owners or occupiers of stores, shops, market stalls and market places shall keep their floors and frontages clean and clear of litter, rubbish or filth.
- (2) Where a person is permitted or licensed to trade, work or use for any purpose the frontage of premises, the owner or occupier of the premises or other licensor shall severally or jointly be liable for the defaults of that person under this paragraph.

6. Nuisance

A person who for the purpose of his trade, vocation, religious worship, entertainment or other business causes smell, smoke, unbearable noise or other nuisance to his neighbours or the public commits an offence.

7. Disposal of refuse

- (1) Where the Assembly has in any town or village set aside a place for disposal of refuse or has recommended a method for waste or refuse disposal, no person shall place or cause or permit to be placed any carrion, filth, dirt, refuse or rubbish or waste or any offensive or unwholesome matter elsewhere or on any street, drain, yard, enclosure or open space in such town or village except at such place so set aside for that purpose or by the method so recommended by the Assembly.
- (2) In selected communities, the Assembly shall place refuse container(s) at designated location(s) for the purpose of dumping refuse. No person shall place or cause or permit to be placed any carrion, filth, dirt, refuse or rubbish of any offensive or unwholesome matter around or in the open space nearby the container(s) except inside the container(s).
- (3) Where there has been contravention of sub-paragraph (1) of these By-law and the offender has not been identified or discovered, the fact of any carrion or other substance mentioned in the said sub-paragraph being found adjacent to any building shall be prima facie evidence of it having been placed there by the occupier thereof.

8. Litter not to be swept into streets or specified places

A person shall not-

- (a) Sweep or otherwise remove from any shop, house or vehicle into any street park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind
- (b) Throw down and leave or cause or permit to be thrown down and left in any street, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

9. Conveyance

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

10. Removal of falling filth or litter

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

11. Cleaning

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

12. Prohibition

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

13. No Liability

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

14. Abatement

Except where remedy is expressly provided, any infringement or breach of any of these By-laws may be met with abatement by the Assembly with or without notice.

15. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health officer or any officer of Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these by-laws.

16. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

17. Interpretation

In these By-laws unless the context otherwise requires: -

“Premises” means any building structure whatsoever and includes stalls, kiosks, bars and restaurants;

“goods” include trucks, cranes, lorries, cars, motor cycles, tricycles, bicycles, carts and wagons;

“roads” includes streets, kerb, pavement, sidewalks and footpaths;

“frontage” includes veranda and porch of any premises.

D. Upper Denkyira East Municipal Assembly (Control of Physical Development/ Building) By-laws, 2023

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

1. Authority of Assembly

The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) is the planning authority for:

- a) the physical development, land use, improvement and management of human settlements and the environment;
- b) the equitable distribution of plans and projects; and
- c) necessary action plans for balanced development for the electoral areas.

2. Allocation of plots (public lands)

- (1) Plots shall be allocated in such manner as the Assembly may from time to time direct.
- (2) The Assembly may terminate the allocation of the plot after two years or any reasonable period thereafter as the Assembly may think fit, if the applicant does not develop the said plot.
- (3) The Assembly reserves the right to terminate the allocation of plot if the applicant does not use the facility for demarcated land use.
- (4) Any Government or quasi-Government institutions, organization, and corporations, or individuals who have been allocated portions of land in the Municipal shall not sub-allocate parts of such lands to any third party.

3. Building permits

- (1) No person shall construct any building or structure or execute any work within the area of authority of the Assembly except under and in accordance with the terms and conditions of a building permit issued by the Statutory Planning Committee and concurred by the Assembly.
- (2) Every building permit shall specify the site, the floor area and the measurement of the building or any work under a permit previously granted to him.
- (3) There shall be payment for any such permit a fee of an amount fixed by a resolution of the Assembly
- (4) No person shall submit to the Assembly the plan of any building to be constructed within the Municipal unless the plan has been prepared by or under the supervision of and is signed by the registered architect, engineer or an architectural draughtsman licensed by the Assembly.

4. Validity period of a building permit

- (1) The Assembly may specify in a building permit the time within which the work authorized in the Building Permit shall be commenced and if the work is not commenced within such time the permit shall be revoked.
- (2) The period which shall ordinarily be for two (2) years for which the permit shall be valid, if the work authorized in the permit is not completed within such time the Assembly may extend the period as it may deem fit subject to any further conditions it may impose.
- (3) Any building or work carried on after the validity of the building permit has expired and before an application to extend the period of validity has been approved, will be deemed to be a contravention of these By-laws.
- (4) The Assembly may refuse to issue a building permit if the applicant has failed to complete any work authorized by a building Permit previously granted to him.

5. Temporal Structures

- (1) No temporary structures, which in expression shall include an advertisement or other billboard may be erected by any person without having first obtained from the Assembly a written permit for such purpose.
- (2) The Assembly may, by a temporary building permit, exempt any temporary structure in compliance with any provision of these By-laws as it may deem fit, and may attach to such permit such conditions, including a condition providing for the demolition of the structure.
- (3) A person shall not erect a temporary structure for sale of anything within the area of the administration of the Assembly unless such person has paid to the Assembly a fee prescribed by the Assembly in a fee fixing resolution.
- (4) Any temporary structure without a permit and the payment of the prescribed fee may be pulled down or destroyed and the cost of the destruction of the structure shall be charged against the owner or person in possession and may be recoverable as a debt.
- (5) Every such structure shall carry a certificate as having been constructed in accordance with the requirements laid down by the Assembly.
- (6) Any person or a group of persons who intend to construct or erect a Temporary Structure in any town for any purpose, shall attach thereto one site plan of the area together with a minimum of three drawing plans of the proposed structure and shall contact the Assembly for site inspection to ascertain the suitability or otherwise of the proposed site
- (7) For avoidance of doubt whether or not a structure is temporary shall be a matter for exclusive determination by the Co-ordinating Director in consultation with the Department of Physical Planning of the Assembly but regard must be given to the dictionary meaning of "temporary".

6. Reasonable repairs to be carried out

The Assembly may in respect of any building which has in its opinion fallen into a state of disrepair serve notice in writing upon the owner of such building requiring him to carry out such reasonable repairs as may be specified on the notice, and within such time as may be stated therein.

7. Inspection of land/premises

The Building Inspector may enter upon any land or premises for the purposes of inspecting any building or at any time when the work is in progress.

8. Certificate of habitation

No person shall use a building or structure for public purposes unless the building or the structure been granted a certificate of habitation by the Assembly.

9. Conversion of building without authority

A person who converts an approved plan, for instance the conversion of toilet or kitchen to living rooms commits an offence and the Assembly has the power to order a re-conversion to the original plan.

10. Unauthorized Buildings and demolition notice

- (1) If any building or structure is being or has been constructed or if any building work is being or has been executed without permit or in contravention of these By-laws or if the Assembly considers any building dangerous the overseer or any other person authorized by the Assembly may give notice in writing to the owner or occupier or the developer of such building requiring such owner or occupier or developer within two weeks by a statement in writing to the Assembly to show sufficient cause why such building or structure or work should not be removed, altered or pulled down.
- (2) If such owner, occupier or developer as the case may be fails to show sufficient cause why such building, structure or other should not be removed, altered or pulled down, it shall be lawful for the Assembly to carry out the removal, alteration or pulling down as specified in the notice and to recover from the owner, occupier or the developer as the case may be the expenses as if it were a debt due from such person or persons to the Assembly.
- (3) Notice posted to the address of the landlord or posted on the wall of the building shall be deemed to have been properly served; except that in the case of an absentee landlord 28 days' notice instead of 14 days shall be given.
- (4) No mason or carpenter shall work on any building or structure for which no permit has been obtained from the Assembly.

11. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

12. Offences

- (1) A person commits an offence who:
- a) wilfully obstructs or interferes with or misleads any officer of the Department of Physical Planning;
 - b) fails without reasonable excuse to comply with any notice given under These By-laws;
 - c) contravenes any other provisions contained in These By-laws, and
 - d) constrains the Assembly as accelerator of development and improved environment.

13. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

14. Interpretation

In these By-laws unless the context otherwise requires-

“Building” means any structure whatsoever and includes the alteration of any existing building which involves an increase in the floor of that building.

“Floor area” of a building includes the area of all verandas, lean-tos and other roofed spaces.

“Work” means any work on any building and includes the alteration, extension and repair but does not include decoration of such building.

“Overseer” means any officer appointed by the Assembly for the purpose of inspecting building operations.

“Building Inspector” means any officer appointed by the Assembly for the purpose of examining plans and specifications or inspecting building operations.

“Temporary structure” includes scaffolding, hoarding, fences, huts, kiosks, booths or shelters Booths, Huts or any structures that may be declared or considered as such by the Assembly.

“Absentee landlord” means a landlord/property owner who does not live at and/or rarely visits the property they let.

“Public land” include any land zoned by the Town Planning Development of the Assembly as area demarcated for schools, road, market, drainage, hospital, natural reserve, and garbage disposal dumps

E. Upper Denkyira East Municipal Assembly (Markets) By-laws, 2023

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

1. Control of Markets

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as the “Assembly”) shall for the purpose of and subject to these By-laws, have the control and management of all authorized markets within the jurisdiction of the Assembly.
- (2) No person or persons of Town/Village Committee shall construct, own, control or operate any market or attempt to collect or seize or impound the proceeds of any market within the area of authority of the Assembly except with the prior consent and written approval of the Assembly.
- (3) Any person who contravenes the provisions of sub-paragraph (2) shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

2. Allocation of Stalls/Stores

- (1) Stalls, spaces and selling sites in the markets shall be allocated in such manner as the Assembly may from time to time direct.
- (2) Subject to the provision of sub-paragraph (1) of these By-law, applications for the allotment of stalls, spaces and selling sites shall be made to the Assembly in writing and such allotment stalls, spaces and selling sites shall be in order of priority of application thereof and upon payment of the prescribed rent to the Assembly.
- (3) The Assembly may refuse allotment of any stall to an applicant previously convicted of an offence under these By-laws.

3. Payment of rent for stalls/stores

- (1) Rent for stalls, spaces or selling in the markets shall be of an amount fixed by a resolution of the Assembly
- (2) All rents shall be payable in advance.
- (3) Where rents are paid weekly, monthly or quarterly, occupation shall expire on the last day of the week, month or quarter in which rent has been paid.
- (4) Whenever rent is payable weekly, monthly or quarterly, or any portion of the week, month or quarter it shall count as a week, month or quarter as the case may be.
- (5) Wherever rent of any stall, space or selling site in the market is payable monthly and quarterly, the occupier shall give notice of his intention to discontinue the use thereof at least fourteen (14) days before the last day of the month or quarter in respect of which rent has been paid, otherwise the occupier shall be liable for rent for the succeeding month. In the case of weekly allotment, the occupier shall give at least three (3) days’ notice before the last day of the week for which rent has been paid with the intention to discontinue the use thereof.

4. Receipts for Stalls/Stores

- (1) On payment of rent for stall, space or selling site, a receipt specifying the period in respect of which it is paid shall be issued to the payer and the receipt shall be prima facie evidence of the payment of rent for the specific period.
- (2) Failure to produce the receipt on demand by a person authorized by the Assembly shall render the occupier of a stall, space or selling site liable to ejection from such a place.
- (3) Any person served with a notice of ejection (which shall be in such form as the Assembly may direct) who fails to give up possession of the stall, space or selling site in accordance with the term commits an offence and shall on summary conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.

5. Subletting of stalls/Stores

- (1) No occupier of any stall, space or selling site in a market in respect of which rent is payable shall sublet or share such stall, space or selling site unless granted written permission from the Assembly.
- (2) Any person who contravenes the provisions of sub-paragraph (1) shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or in default of payment, or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (3) A 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 some or any part thereof or any transaction or dealing therewith that might by operation of law or equity have the effect of transferring same or any part thereof or any therein to any person at any time without due notice to the Assembly is prohibited;
- (4) The ownership of a stall shall not be assumed or devolved by way of succession. Upon the death of the original occupier, the interest in the stall automatically reverts to the Assembly
- (5) Where an occupier dies, the Assembly should be notified of such death stating whether the deceased was occupying it or not;
- (6) Any relative of the deceased person who expresses an interest in the store may apply to the Assembly within three (3) months after notification for consideration and approval by the Assembly and if the application is successful, a fresh tenancy agreement shall be executed between the Assembly and the successful applicant;
- (7) Where the tenant was not in occupation before his/her death, the Assembly should be obliged in fairness or by way of equity transfer the interest in it to the person who was occupying it as a sub-lessee before his death if such occupation was with the written consent of the Assembly;
- (8) In any other situation the Assembly reserves the right, or discretion to decide who should occupy it depending on the objective conditions surrounding that situation.

6. Desertion

- (1) The Assembly reserves the right to re-enter a store(s) and re-allocate same to any interested person if-
 - (a) the occupier deserts the store for three (3) months without notice to the Assembly and fails to pay daily tolls.
 - (b) fails to pay the rent due for three (3) months;
 - (c) the real tenant had sold it to a third party;
 - (d) or has relinquished his interest to third party without the written consent of the Assembly.
- (2) The Market manager shall through the daily toll collectors furnish the Municipal Finance Officer with the names and store numbers of stores which are not opened and thus fail to pay daily toll.
- (3) The Assembly shall before re-entry issue notices to the tenant and or paste a copy at the store where the tenant cannot be traced, of its intention to re-enter.

7. Sales Restriction

- (1) No person shall sell, offer for sale or exhibit for sale during market hours any article at a place within the jurisdiction of the Assembly save in the market situated there at or in a shop or in accordance with a hawker's License or License to do so issued by the Assembly.
- (2) Any person who sells any article outside the market except with a License issued in accordance with these By-laws shall be guilty of an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment not exceeding three (3) months or both the fine and imprisonment.
- (3) A seller shall not place any box, basket, container or anything in any pathway or avenue of a market.

8. Appropriation of parts of markets

- (1) A part of the market shall be specifically set aside by the Assembly for the sale of the following articles and the sale of such articles shall be prohibited elsewhere in the markets.
 - a) Fresh meat
 - b) Fish
 - c) Bread
 - d) Palm-wine, Pito, corn-wine or any African beverage.
 - e) Charcoal
- (2) Any person who sells any of the articles specified in sub-paragraph (1) of These By-laws anywhere except in part of the market specifically set aside for the sale of it shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (3) Markets in the Municipal shall be divided into categories and assigned facilities as the Assembly may determine.

9. Daily Sellers

- (1) A part of the market shall be specifically set aside by the Assembly for the use of daily sellers who pay to the Assembly daily fees as shall have been fixed by a resolution of the Assembly
- (2) On payment of the fees, a receipt specifying the date in respect of which it is paid, shall be issued to the payer and the receipt shall be prima facie evidence of payment of the fee for the specified date.
- (3) Failure to produce the receipt on demand by a person authorized by the Assembly shall render the daily seller liable to ejection from the market.
- (4) Any person served with the notice of ejection from the market (which shall be in such form as the Assembly may direct) who remains in the market shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.

10. Sales made on tables

No person within the market shall expose any article or food for sale save from a stall, or from a table or other support of a minimum height of twenty-four inches (0.60m) from the ground.

11. Protection of Food

- (1) No person shall expose for sale in any market meat, bread, fish, palm-wine or cooked or prepared food unless the same is protected by means of screens in pattern recommended by the Municipal Environmental Health Officer for approval by the Assembly.
- (2) No article which is likely to be used for human consumption as food shall be sold without adequate protection from dust, flies or insects.

12. Prohibition of unfit persons

- (1) No person suffering from any infectious or contagious disease shall enter any market.
- (2) Any person suffering from any such disease who enters the market shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.
- (3) The Assembly shall have the power to refuse the right of entry into a market to any person of unsound mind or any person who in the opinion of the Assembly is suspected to have a contagious disease.
- (4) A person who has not undergone medical examination and issued with Assembly's health certificate of fitness, which shall be valid until 31st December of the issuing year shall not enter any market or any other place to sell. Such certificate shall be displayed conspicuously at where the selling is taking place for public notice.

13. Cleanliness

- (1) Every occupier of a stall, space or selling site in a market shall, during his occupation thereof, keep the same in a clean state (shall brush, sweep or otherwise clean away all dirt and rubbish from there and the immediate surroundings including the adjoining spaces and walkways) at the end of the day's selling.
- (2) Every person occupying a stall or using a table or other support for the purpose of exposing for sale food thereon shall wash the stall, table or other support with clean water before leaving at the end of the day's selling. All stains from oil, fat or other articles shall be thoroughly washed away.
- (3) All dirt and rubbish shall be deposited in covered receptacles (to be of a type recommended by the Municipal Environmental Health Officer for approval by the Assembly) provided by the Assembly for that purpose.

14. Prohibited articles

- (1) No person shall bring or cause to be brought into the market, or have therein any of the following:
 - a) Any animal except poultry, goats and sheep.
 - b) The skin of any animal unless it is properly cured.
 - c) The offal of any animal except by permission of a Health Officers of the Assembly in charge of market sanitation who shall act on the advice of the Municipal Environmental Health Officer or a person authorized by the Assembly.
- (2) The Assembly may, at any time, ban the sale of any article at the market if deemed necessary to do so.

15. Sale of Poultry

Poultry such as fowls, ducks, guinea fowls and turkeys offered for sale in the market shall be kept in coops or traded in a humane manner.

16. Children

Any person in charge of a child in the market shall be responsible for the orderly conduct of such child and clean up any litter, or any nuisance that such child may cause.

17. Butcher's Clothing

Butchers and their assistants, when engaged in carrying, handling or selling meat, shall wear clean clothing of style recommended by the Municipal Environmental Health Officer for approval by the Assembly.

18. Unwholesome Food/Drinks

- (1) Any person who brings into the market or any other place within the Assembly, keeps, sells or offers for sale therein any food or drink such as meat, fish, bread, palm-wine, whether fresh, cooked or prepared, canned or bottled which is in a rusted or dented or in a bulging state or is expired or adulterated or is unwholesome or likely to be unwholesome shall be guilty of an offence and shall, on summary conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) The court upon conviction of the offender shall order a Health officer of the Assembly appointed for that purpose to sanitarily dispose of the unwholesome food or drink.

19. Market hours

The Market shall be opened to the public between the hours of 5.30 a.m. and 6.00 p.m. or during such hours as shall be authorized by the Assembly.

20. Market not to be used as dwelling place

- (1) No person shall use the market as a sleeping place.
- (2) Any person found using the market as a sleeping place shall be guilty of an offence, and on summary conviction, shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.

21. Right of entry to market

It shall be lawful for the Municipal Environmental Health Officer or any officer authorised by the Assembly or any police officer in uniform to enter the market at any time and inform the Assembly of any non-compliance with any matter contained in these By-laws.

22. No liability for loss, damage, etc.

- (1) The Assembly shall be under no liability for any loss, or damage to the property of an occupier of any stall, space or selling site in a market as a result of fire, theft, burglary or any other cause whatsoever.
- (2) An occupier may be prudent to take relevant insurance policies to cover their properties against any such event.

23. Prohibition

- (1) A person shall not light fire in any part of the market or keep or sell any explosives or highly flammable substances in the market place.
- (2) No person shall sell or offer for sale any bread, meat, fish, palm-wine, vegetables, fruits, iced water, any cooked or prepared or raw food, any alcoholic and non-alcoholic beverage in the market unless he possesses a medical certificate of food and drink sellers issued by the Assembly.
- (3) No shop or stall owner shall construct or extend a structure without the approval of the Assembly.
- (4) No persons shall carry out electrical, plumbing and related improvement works without the approval of the Assembly.
- (5) No person shall encroach or build upon drains, utility service reservations (hydrants), public right of ways and open spaces in the market.
- (6) The Head of works Department shall ensure that any unauthorized work in the market is stopped or demolished.

24. Obedience to directions of the Assembly

- (1) Every person using the market shall obey any reasonable directives of the officers of the Assembly or the Police including directives given for the purpose of ensuring cleanliness, order and regularity in the market and of facilitating the conduct of business therein.
- (2) The Assembly may suspend for such period as it may in its discretion decide upon, the tenancy of any occupier of a stall, space or selling site who wilfully and continuously violates any of the provisions of these By-laws after written notice of the offence has been served on the offender.

25. Obstruction

No person or group of persons shall resist, insults, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties under these By-laws.

26. Dispute resolution

- (1) The market Standing Committee of the Assembly shall resolve all disputes relating to the stalls in markets controlled by the Assembly;
- (2) A party dissatisfied with the decision of the Standing Committee, may appeal to the Chief Executive of the Assembly for a review of such decision twenty-one (21) days from the date of the decision by the market standing committee

27. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

28. Interpretation

In these By-laws unless the context otherwise requires:

“Food” means anything that is ingestible, edible or drinkable either cooked or in the raw state

F. Upper Denkyira East Municipal Assembly (Hawker's Permit) By-laws, 2023

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

1. Hawker's Permit

- (1) A person shall not operate as a hawker unless he obtains a permit from the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly') for that purpose.
- (2) The permit shall be in such form as the Assembly may determine and shall be issued subject to such conditions as the Assembly may deem fit including but not limited to the following:
 - a) A hawker shall not sell, offer for sale or exhibit goods other than those in respect of which a permit has been issued and which are specified in writing therein.
 - b) A hawker shall not erect any stall or other structure in any public place for the purpose of his or her trade or any business without a written permit from the Assembly.
 - c) A hawker shall not obstruct or impede the free movement of vehicles or pedestrian traffic.
 - d) A hawker shall pay a daily fee approved by the Assembly

2. Application

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

3. Duration and Fees for License

- (1) A license issued under these By-laws shall expire on the 31st December of the year of which it is dated.
- (2) A License shall be issued on the payment of such fee as may be fixed by resolution of the Assembly.

4. Hawkers to Produce License on Demand

- (1) Every hawker shall produce for inspection a License granted under these By-laws upon demand being made on him by a person authorized in writing by the Assembly.
- (2) Any person who fails or refuses to produce the License commits an offence.

5. Food Unfit for Human Consumption

- (1) No hawker shall sell or exhibit for sale any food which is injurious to health or unfit for human consumption.
- (2) Every hawker shall protect all foods sold, offered for sale or exhibited for sale against dirt, flies and any form of contamination by the use of adequate cover approved by the Assembly.

6. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

Interpretation

In the By-laws unless the context otherwise requires: -

“Hawkers” includes both sedentary and roving persons who carry goods about for sale.

G. Upper Denkyira East Municipal Assembly (Control of Bakeries) By-laws, 2023

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

1. Bakeries to be Licensed

- (1) No person shall operate a bakery in any other place other than premises which have been inspected, and recommended by the Municipal Environmental Health Officer for approval by the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”).
- (2) No premises shall be used for the preparation or baking of bread from flour for sale unless the premises have been approved and licensed by the Assembly.
- (3) No person shall manufacture flour at any premises unless the premises have been approved and licensed by the Assembly.

2. Fee

The fee for every license under these By-laws shall be fixed by a resolution of the Assembly.

3. Requirements of bakeries

- (1) No premises shall be licensed for the preparation or baking of bread for sale unless separate and suitable rooms are provided for the following purpose:
 - (a) storage of flour and other materials used.
 - (b) the mixing and kneading of flour and other materials and any necessary bread mixtures.
 - (c) baking room
 - (d) cloak room/changing room
 - (e) storage of the finished bread or other products of the bakery.
 - (f) lavatory
- (2) All bakeries should have fire certificate and fire safety equipment and should be serviced as required by the Ghana Fire Service.
- (3) All bakeries should have first aid kits for minor injuries.
- (4) Mixing and kneading rooms shall be rodents-free
- (5) Floors and walls shall be made of impervious material that can allow easy cleaning.
- (6) Water shall be supplied from appropriate source and safe for use
- (7) Suitable shelves shall be provided,
- (8) Machinery used in the process shall be capable of being dismantled and cleaned
- (9) There shall be direct access from the mixing and kneading room to the oven used for baking

4. Storage rooms

- (1) Rooms used for storage shall be protected against vermin, rat-proof and properly lighted and ventilated. Materials stored in the rooms shall be kept from contact with the floor and walls.
- (2) Nothing shall be stored in the room which is not directly connected with the work of the bakery.
- (3) Rooms used for storage or display or sale of bread shall be provided with sufficient shelves, benches or tables.
- (4) Bread stored or offered for sale shall be protected from contamination by being in wrapping materials approved by the Assembly.

5. Rooms not to be used for other purposes

No room in the bakery shall be used as a living or sleeping room or for any purpose not directly connected with baking bread.

6. Sanitary/ Hygiene Conditions

- (1) Suitable sanitary accommodation such as wash rooms shall be provided for the use of persons employed in the bakery and there shall be facilities for hand washing with soap under running water.
- (2) Persons employed in the mixing and kneading rooms shall be supplied with clean aprons or overalls capable of being washed.
- (3) There shall be suitable and adequate storage facilities and arrangements for the disposal of refuse.

7. Prohibition of smoking and use of other substances

No person shall smoke tobacco products, Indian hemp or any of such substances or drink any alcoholic beverage in any premises used for the preparation and baking of bread and pastry.

8. Prohibition of unfit/ infectious persons

- (1) Any person who suffers from a festering wound, sore on hands or arms, discharging ears or nose or who suffers from attacks of diarrhoea or vomiting shall not take part in the handling or preparing of bread or flour or other materials used in the bakery.
- (2) No proprietor or manager or worker or any other persons who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall be allowed to take part in the handling or preparing of bread, handling of flour or other materials used in the bakery.
- (3) The proprietor or manager of the bakery as soon as he becomes aware of any sickness in any person employed shall not permit such person to handle bread or flour or any other materials or equipment used in the bakery until such person is no longer suffering from such sickness or permission has been given by the Health Officer for that purpose for the continued employment of such person in the bakery.

9. Power of entry/Inspection

The Municipal Environmental Health Officer or such other person as may be authorized shall have power to enter any bakery licensed under these By-laws for the purpose of inspection between the hours of 6:00 am and 6pm and between the hours of 6pm and 6am with a written authorization and no person shall obstruct him in the performance of his duties under these By-laws.

10. Withdrawal of License

The Assembly may withdraw any license granted under these By-laws if any alteration is made to any premises of which license has been granted without the prior approval of the Assembly or if the owner of the license is contravening any of the provision of the By-laws.

11. Obstruction

No person shall resist, insult, obstruct or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of these By-laws

12. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

13. Interpretation

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

“Flour” means wheaten flour and flour containing non-wheaten substances such as cassava or corn.

“Bread” means loaves, rolls, cakes, pastries, biscuits and flour confectionery of any kind.

“Bakery” means a workplace where bread loaves, rolls cakes, pastries and flour confectionery of any kind are produced or sold.

SCHEDULE

**UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY
(LICENSE TO KEEP BAKERY)**

License is hereby granted to House No.....

Keep a bakery on the aforesaid or at House No.....

..... until theday of20...

Fees paid GH¢..... Date issued.....

Receipt Number.....

.....
(MUNICIPAL ENV. HEALTH OFFICER)

.....
(MUNICIPAL CO-ORDINATING DIRECTOR)

H. Upper Denkyira East Municipal Assembly (Slaughter House) By-laws, 2023

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

1. Animals to Be Slaughtered in Slaughter – Houses

- (1) Subject to the provisions of these By-laws, no person shall slaughter any cattle or any other animal for human or animal consumption in any of the towns, or villages within the area of authority of Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) or within the precincts of such towns or villages other than in the public slaughter house or other place designated by the Assembly for the slaughter of animals.
- (2) No person shall sell or offer or expose for sale in any town/village in the area of authority of the Assembly or within the precinct of such a town or village the flesh of any food animal not slaughtered and inspected by a Health Officer of the Assembly in a slaughterhouse or other place designated by the Assembly for the slaughtering of animals. except where the flesh or meat is imported and cleared through Customs, Excise and Preventive Service.
- (3) Notwithstanding anything contained in these By-laws, a Health Officer of the Assembly may, on specific occasions, permit animals to be slaughtered in places other than a slaughter house or a place designated by the Assembly for the slaughter of animals. provided that in every such case, the carcass and all the organs of the animal so slaughtered are brought without delay to the Department of Health for examination by the officer or persons authorized by the Assembly.
- (4) A Health Officer of the Assembly or any officer employed by the Assembly to exercise control over a slaughterhouse or other places designated for the slaughter of animals shall have power to direct the manner in which any animal shall be slaughtered and singed so as to prevent any unnecessary cruelty and such directives shall be obeyed by any person using such slaughter house or designated place.

2. Butchers License and Conditions

- (1) A person shall not be allowed to slaughter any animal for sale to the public in the Municipal or any other approved slaughter-house within the jurisdiction of the Assembly unless he is a holder of an appropriate License duly issued by the Assembly as specified under the Schedule hereto.
- (2) All butchers and their apprentices or agents or servants shall be medically examined every twelve (12) months as part of the conditions for the grant and renewal of the License.

3. Revocation of License

Subject to the approval of the Assembly, any License may be suspended or cancelled and the holder’s name removed from the register by the Assembly where:

- a) An owner or a registered person has been convicted of an offence under These By-laws; or
- b) The Department of Health is satisfied that an owner or a registered person has committed an offence against some order or direction in connection with the slaughter of animals or sale of meat; or
- c) The conduct and behaviour of such person is otherwise contrary to the intent and purposes of These By-laws.

4. Fees

The assembly shall by resolution determine the fees to be paid for the use of slaughter house or approved place.

5. Inspection/Care of animals

- (1) Every animal intended for slaughter shall be brought to the Lairage and presented for inspection to the Veterinary and Environmental Health Officers.
- (2) An animal rejected for slaughter shall not be brought again to the slaughter house.
- (3) Animal found to be affected by any zoonotic disease or which are reasonably suspected of being so affected shall, if the Veterinary and Environmental Officers so directs, to be quarantined forthwith
- (4) Animals approved for slaughter shall be branded or marked with a distinctive mark on the ears, hoofs or horns and admitted to the waiting yard, provided that no animal shall be admitted to the lairage, if the prescribed fee has not been paid.
- (5) While in the kraal the owner or the person in charge of the animal shall be responsible for its security, proper care, feeding and watering and to protect it from being harassed by insects and from any influence tending unnecessarily to cause it pain or harm.

6. Sanitation/Hygiene

- (1) No person making use of a slaughter house shall fail to observe the sanitation and hygiene standards prescribed for meat handling at the slaughter house by the Assembly's Health Officer.
- (2) Every person who makes use of Assembly slaughterhouse or other place approved for the slaughter of animals shall keep the same in clean state and shall before leaving brush, sweep and clean away all dirt, blood, offal, rubbish and shall wash and cleanse the slaughterhouse.
- (3) Every person who makes use of Assembly slaughterhouse or any other place approved for the slaughter of animals or keeps animals in a kraal for sale or for slaughter shall take part in a weekly general clean-up exercise using his or her own resources to clean in and around the slaughterhouse and the kraal under the instruction and supervision of the Assembly's Environmental Health Officer in charge thereof.
- (4) All butchers when handling meat at the slaughter house or any other place designated for slaughtering of animals for human consumption shall be in clean protective uniform and foot wears prescribed by the Assembly's Health Officers in charge thereof.
- (5) There shall be no spitting and smoking of cigarette at the slaughterhouse or any other place designated for slaughtering of animals for human consumption.

7. People with Abrasions/ Health Conditions

No person with abrasion, bruise, wound or sore whether covered or uncovered or a person suffering from any infectious or communicable disease or a person who has not undergone Health examination of fitness and issued with Assembly Health certificate of fitness which shall be valid until 31st December of the issuing year shall make use of a slaughter house or any other place approved for the slaughter of animals.

8. Use of the Slaughterhouse

- (1) All slaughtering and related activities shall commence at 5:00am and end at 5:00pm each day. On special occasions and upon the payment of such extra fee as the Assembly may think fit, allow the slaughter of an animal at any other time, under a written permission.
- (2) There shall be no debate, exchange of words, provocation, quarrelling or fighting at the slaughterhouse.
- (3) No person except the Assembly's authorised persons shall use any part of the slaughter house as a cloakroom, living or sleeping room or a meat shop.
- (4) No bicycle, motor cycle, one tyre or two tyre or four tyre truck or tricycle etc. shall be allowed to enter the slaughterhouse.

9. Method and Conditions of Slaughter

- (1) All animals slaughtered shall be killed by:
 - a) Cutting the throat after stunning; or
 - b) By a captive bolt pistol'.
- (2) No person shall use a captive bolt pistol under sub-paragraph (1) of this paragraph unless he is so authorized by the Municipal Environmental Health Officer or Municipal Veterinary Officer.
- (3) No animal shall be slaughtered within the sight of another animal.
- (4) A person shall not treat the skin of any animal after slaughter by the application of harmful methods such as burning of vehicle tyres.
- (5) Slaughtered animals shall be disembowelled as soon as possible after slaughter, to the satisfaction of the Veterinary and Environmental Health Officers.
- (6) The offal of the slaughtered animals shall not be washed into the drain or allowed to drop on the floor but shall be emptied into receptacles provided for the purpose by the slaughter house/slab.
- (7) 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.
- (8) All meat examined and condemned shall be destroyed, buried or otherwise disposed of under the orders of the Veterinary Public Health Officer.
- (9) Subject to the provisions of sub-paragraph (1) of this paragraph, an Environmental Health Officer or a Veterinary Doctor/Officer authorized by the Assembly shall direct the manner in which any animal may be slaughtered to prevent cruelty to such animal and any person so directed shall comply.

10. Ante-mortem and Post-mortem inspections

Every animal brought to the slaughter house for slaughter shall be inspected both before and after slaughter by the Veterinary officer or the designated officer of the Assembly. All organs and parts of the carcass shall after the said inspection be stamped or otherwise marked so as to make each organ or part readily identified as meat qualified and passed by the Department of Health as fit for human consumption.

11. Transportation of Meat

- (1) Only Meat Vans recommended and approved by and belonging to the Assembly or its accredited contractor or agent shall be allowed to transport meat from the slaughter house to meat shops at a fee fixed by resolution of the Assembly. Such fees shall be paid by the owner of the meat.
- (2) A person who conveys or causes to be conveyed meat from the slaughterhouse:
- (3) Shall cause to be kept clean the inside and covering of the vehicle, the receptacle in which the meat is placed and such parts or any slings or other implements or apparatus used for loading or unloading.
- (4) Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as meat
- (5) Only meat inspected and passed fit for human consumption by the Assembly's Health Officers shall be transported from the slaughter house to other approved place such as meat markets, meat shops, distribution centres, etc.
- (6) Meat inspected and declared unwholesome for human consumption shall be disposed of in a sanitary manner by the Assembly's Health Officers in charge thereof.

12. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

13. Interpretation

In these By-laws unless the context otherwise requires: -
“ Food animal” include goat, sheep, cattle

SCHEDULE

UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY

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

This License is valid up to the Day of 20

Fee GH¢ Date Issued

.....
Municipal Environmental Health Officer

.....
Municipal Coordinating Director

LICENSE FOR BUTCHER

UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY

License is hereby granted to of as a butcher for the slaughter of animals in the slaughter house or at any other approved place within the Upper Denkyira East Municipal Assembly area.

This License is valid up to the day of 20

Fee GH¢.....

Date Issued

.....
Municipal Environmental Health Officer

.....
Municipal Coordinating Director

LICENSE FOR BUTCHER'S ASSISTANT

UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY

License is hereby granted to of

as a Butcher's Assistant for the year ending 31st December, 20

Fee GH¢

Date Issued 20 ...

.....
Municipal Environmental Health Officer

.....
Municipal Coordinating Director

I. Upper Denkyira East Municipal Assembly (Control of Mills) By-laws, 2023

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

1. Building and development permit to be obtained

- (1) No person shall operate a mill within the Upper Denkyira East Municipal Assembly's (hereinafter referred to as "the Assembly") area of authority without first obtaining-
 - (a) a development Permit for the site from the Town Planning Department of the Assembly and
 - (b) a building Permit from the Engineer's Department of the Assembly
- (2) If the location of the mill is at a residential area, technical committee of the Statutory Planning Committee in the Municipal shall certify that the operation of the mill is not endangering or is not likely to cause nuisance

2. License to operate mill

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

3. Fees

- (1) The License fee for operating a mill shall be determined in accordance with a fee-fixing resolution of Assembly.
- (2) The License shall expire on the 31st day of December of the year of issue.

4. Specifications for floor and wall of mill

- (1) No person shall use a room or structure as a mill if-
 - (a) It is less than 4.2 metres long, 3.6 meters wide and less than 3 metres high from the floor level: and
 - (b) The floor is not made of concrete or other approved impervious materials; and
 - (c) The walls are not fly-proof.
- (2) In every mill, adequate lighting and ventilation shall be provided and the surroundings of the mill shall be cleared of weeds and stagnant waters, with the doors and windows reasonably fly-proofed.

5. Clean Water

A mill shall use good drinking water and the basin for mixing of flour or any other ingredient/produce shall be thoroughly washed with clean water after use.

6. Times of operation

A mill shall be opened to the public only between the hours 4 am and 7 pm.

7. Structure not to be used as dwelling house

A person shall not use a room in a mill as a living or bed room

8. Prohibited persons

- (1) No proprietor or person in charge of a mill shall allow any person suffering from an infectious disease to be operate or enter the premises of the mill.
- (2) No proprietor or person who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall be in charge of a mill.

9. Cleanliness

The owner or person in charge of a mill shall keep the premises in a clean condition, and shall brush, sweep or otherwise clean away all dirt and rubbish, at the end of the day's work.

10. Obstruction

No person shall insult, obstruct, resist or undermine any Health officer or other person appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of these By-laws.

11. Assembly to Withdraw License

The Assembly shall withdraw the license of any person who makes any alteration to any building/mill licensed under these By-laws without the approval of the Assembly.

12. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

13. Interpretation

In these By-laws unless the context otherwise requires-
"mill" means any building or structure fitted with machinery for grinding corn, millet, pepper, cassava, groundnut, tomato, flour, onion, or other foodstuff.

J. Upper Denkyira East Municipal Assembly (Business Operating Permit) By-laws, 2023

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

1. Business Permit

No person shall carry on any profession, occupation, trade or business in or upon any premises within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as the “Assembly”) without a Business Operating Permit duly granted by the Assembly after a site suitability inspection has been conducted and approved by the Assembly.

2. Period of validity

A Business operating permit granted under these By-laws shall expire on the 31st of December of the issuing year.

3. Permit not transferable

A Business operating permit once granted is not transferable.

4. Display of permit

A Business permit granted under these By-laws shall be displayed in a conspicuous part of the premises on which the business is operated.

5. Fees

There shall be charged a fee for every Business permit granted under these By-laws as shall be prescribed by the Assembly in accordance with its fee-fixing resolution.

6. Liability to pay property rate

Any business operating permit granted shall be without prejudice to the payment of property rate. The owner of a rateable property of a permanent or temporary nature who is required to pay property rate under any existing law shall in addition be required to apply for a business permit under these By-laws.

7. Power of Entry

- (1) Subject to the provisions of these By-laws any officer or a person duly authorized in writing by the Assembly may, during business hours enter into or upon any building, premises or land within the area of authority of the Assembly for the purpose of carrying out any inspection, enquiry or any other duties authorized by the Assembly.
- (2) No person shall obstruct or interfere with any officer or person authorized by the Assembly in the performance of any duties under these By-laws.

8. Withdrawal of permit

- (1) The Assembly may withdraw or revoke any Business Permit granted under these By-laws if any changes are effected in the business for which the permit was granted without a written authority of the Assembly or if the person granted the business permit contravenes any provision of these By-laws.
- (2) The Assembly may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

9. Winding up/Suspension of Operations

- (1) Where for any reason a company winds up its business entirely or suspends its operations, the Assembly shall be informed immediately about such a closure or suspension of business activities.
- (2) A company that fails to comply with paragraph 9 of these By-laws shall continue to be billed by the Assembly for its fees for Business permit.

10. Liability for failure to pay permit fee

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

11. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

12. Interpretation

In these By-laws unless the context otherwise requires-

“Business” means an economic system in which goods and services are exchanged for one another or money, on the basis of their perceived worth,

“Trade” means commercial transaction involving the sale and purchase of goods, service or information

“Profession” means occupation, practice or vocation requiring mastery of a complex set of knowledge and skills through formal education and or practical experience.

K. Upper Denkyira East Municipal Assembly (Vehicle Dealers) By-laws, 2023

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

1. Vehicle Dealership

No person shall operate as a vehicle dealer or keep vehicles in an enclosure or open space by himself or on behalf of others in the administrative area of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) without applying to the Assembly for permission to do so.

2. Vehicle dealer’s Permit

An applicant for a vehicle dealer’s permit shall comply with the following conditions:

- a) The park or ground on which the vehicles are displayed shall be suitably fenced; and
- b) There shall be conspicuous sign board advertising the sales; and
- c) The park shall be adequately equipped with firefighting mechanism.

3. Fees

The Assembly may grant an applicant a permit to engage in sale of vehicles on the payment of an approved fee as shall be specified by a resolution of the Assembly.

4. Submission of site plan

An application submitted to the Assembly, shall be accompanied with three (3) copies of the site plan of the area where the park or enclosure is to be located.

5. Office at Site

A site for sale or displaying of vehicles shall have an office from which receipts of sales of vehicles shall be issued.

6. Dimensions of site

A park or enclosure used for the purposes of dealing in sale of vehicles shall not be less than 61 meters by 30 meters.

7. Discretion to withdraw dealer’s permit

Notwithstanding any sanction which may be applied, the Assembly may withdraw a vehicle dealer’s permit for stated reasons upon giving the dealer thirty (30) days’ notice where there is continuous contravention of these By-laws.

8. Individual vehicle sale exempted

For the avoidance of doubt these By-laws shall not apply to any disposal of a vehicle by an individual who is not a general dealer in vehicles.

9. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

10. Interpretation

In these By-laws unless the context otherwise requires

“Dealer” means a person who sells vehicles in any place other than in a shop.

L. Upper Denkyira East Municipal Assembly (Lorry Park) By-laws, 2023

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

1. Provision of Lorry Park

- (1) No driver of a motor vehicle plying for public hire or fares shall in the public part of the towns within the area of authority of Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) load or unload or permit the loading of passengers or goods except at the place provided for the purpose by the Assembly.
- (2) Nothing in these By-laws shall prevent:
 - a) The loading or unloading of passengers or goods directly to or from any private store, dwelling house, shop or market.
 - b) The loading or unloading of passengers or goods at any place within the towns in the event of an accident or bonafide breakdown of the vehicle.

2. Establishment of private lorry park

- (1) No person or group of persons shall have the right to establish a lorry park or a private lorry park in any place within the town, village or settlement within the jurisdiction of the Assembly without the approval of the Assembly.
- (2) For purposes of the preceding paragraph, an application to operate a parking place shall be submitted to the Assembly which shall assess the suitability or otherwise of the site and location of the lorry park.
- (3) Where the location is approved, the applicant(s) shall be notified and shall pay the approved fees fixed by the resolution of the Assembly together with making available amenities for the lorry park as a condition of the grant.
- (4) There shall be payable to Assembly for the use of a parking place in respect of each motor vehicle a parking fee fixed by a resolution of the Assembly.
- (5) Only transport operators with permits from Assembly shall provide services at the lorry parks or terminals.

3. Licensing of Bookmen/Overseers

- (1) Any person or group of persons who wish to operate at any of the Assembly’s approved Lorry Parks as Bookmen/Overseers shall obtain a license to do so from the Assembly through the Transport Union or Association at that lorry park.
- (2) The cost of license for each Bookman/Overseer shall be determined by the Assembly and shall be renewable on expiry subject to good conduct and good performance of the particular bookman/ overseer.
- (3) Notwithstanding this provision, the Assembly reserves the right to revoke the license of any Bookman/Overseer for acts prejudicial to the good discipline and operation of any of its lorry parks.
- (4) The Assembly shall keep a register of all Transport Unions/Associations and Bookmen in the area.

4. Deductions from Booking Fee

- (1) Subject to that the lorry park operator shall pay property rate and levies or special rates.
- (2) Every such operator shall deduct (for payment into a special fund of the Assembly’s internally generated funds) ten percent (10%) of every driver’s booking fee fixed as equal to one passenger’s fare.
- (3) Any such deductions shall be remitted to a designated officer of the Department of Trade of the Assembly on the first Monday of each month following the deduction.

5. Parking of vehicle in public pathway

Any person who-

- (a) Parks a vehicle; or
- (b) Parks goods or items in any public pathway or pavement shall be guilty of an offence.

6. Obstructing traffic

- (1) No bottles, empty cases, spare parts of vehicles or derelict vehicles shall be placed, parked or allowed to cause obstruction to traffic or other users of the road.
- (2) The Assembly shall have a task force from the Transport Department which shall ensure that broken down vehicles within the Municipal are towed at a fee against the owner or the person in charge at the time of the break down off the road.
- (3) With respect to heavy duty vehicles, the task force shall liaise with the Police Motor Traffic Transport Union to forestall traffic congestion.

7. Clamping of vehicles

- (1) A vehicle parked in contravention of these By-laws shall be clamped by the Assembly or its authorized agents.
- (2) An owner of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by Assembly by resolution before the release of the vehicle to him.

8. Towing of vehicles

The Assembly or its authorized agents shall tow any vehicle parked at an unauthorized place upon the following conditions:

- a) The vehicle being towed shall be deposited at a place to be designated by Assembly;
- b) The driver or person in charge of the towed vehicle shall pay a spot fine in accordance with fee fixing resolution of the Assembly before the release of the vehicle;
- c) The Assembly shall take all reasonable care to ensure the safety of the towed vehicle but shall not take personal responsibility for any loss or damage of the vehicle.

9. Lorry Park fee

- (1) There shall be a payable fee for the use of the lorry park in respect of each motor vehicle entering it, at a fee-fixed by a resolution of the Assembly.
- (2) Every driver of a motor vehicle shall each day, on first entering the lorry park, pay the fee to the person appointed by the Assembly to be in charge of the lorry park (hereinafter called the "Attendant") and shall accept a ticket, and on each subsequent entry into the lorry park on the same day produce the ticket to the attendant on request.
- (3) Any failure to produce such ticket shall be deemed to be that the vehicle is entering the lorry park for the first time.
- (4) Any person duly authorized in writing by the Assembly may also inspect the tickets of lorries which have already entered the park to check whether the appropriate fee has been paid. Any driver who fails to produce his ticket shall be deemed to have entered the lorry park illegally and shall be dealt with in accordance with These By-laws.
- (5) The attendant shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available for the motor vehicle indicated thereon and shall not be transferable. The attendant shall also keep a book in which he shall record daily the registered numbers of Lorries for which tickets have been issued.

10. Fuel filling stations not to be used as Lorry Parks

- (1) No petrol or gas filling station in any part of the Assembly shall be used as a lorry park i.e. for loading and off-loading of cargo and passengers except for purposes of fuelling.
- (2) The Assembly reserves the right to revoke the license of any petrol or gas dealer who allows his fuel filling station to be used as a lorry park.

11. Regulation of Lorry Park

- (1) Every driver of a motor vehicle using the lorry park shall:
 - a) Begin and terminate every journey from inside the lorry park, except as provided under the paragraph 1 (2).
 - b) Enter the lorry park through, the opening marked "entrance" and leave through the opening marked "exit"
 - c) Park his motor vehicle in the lorry park in such space as may be indicated to him by the attendant and when occupying any such space, secure his motor vehicle from movement by keeping the hand-break on, or adopting other effective means;
 - d) Before driving away from any such place, remove any article placed against any wheel or his motor vehicle.
 - e) While in the park, refrain from all unnecessary noise caused by engine or by sounding the horn or other warning instrument.
 - f) Collect and place in receptacles provided for that purpose, all rubbish thrown into the lorry park from his motor vehicle by himself or any person conveyed therein.
- (2) No person shall kindle or cause to be kindled any fire or use any naked light in the lorry park.
- (3) No person shall place or cause to be placed any refuse, rubbish or any offensive or unwholesome matter in the lorry park except at such places as may be provided by the Assembly for that purpose.
- (4) No person shall commit any nuisance in the lorry park.

12. Offloading of foodstuff and animals

- (1) Any person bringing foodstuff or animals into the lorry park shall not halt the vehicle for the purpose of off-loading on the streets or lanes adjacent to the park.
- (2) Foodstuff or animals unloaded at a lorry park shall be conveyed to the appropriate market by their owners within two (2) hours.

13. Prohibition of sale of alcohol

No person shall sell or exhibit for sale any alcoholic beverage or any similar substance in any lorry park in any place within the area of authority of the Assembly or within a radius of 300 metres from a lorry park.

14. Prohibitions

- (1) No persons or owners of vehicles shall perform any commercial activities in or on vehicles parked at any designated parking places.
- (2) The execution of any substantial repairs or work upon a vehicle shall not be permitted except such as may be absolutely necessary.
- (3) No person shall park a vehicle at a place in an unreasonable manner so as to prevent any available access to any premises.
- (4) Every manager of a lorry station or designated parking place shall establish a system for proper sanitation as defined by the Environmental Health and Sanitation Unit for every permitted station or designated parking area in the Municipal.
- (5) The Transport Department of the Assembly shall establish a task force with a mandate to inspect all lorry parks or parking facility and issue the notices and follow through with monitoring and enforcing all the provisions of These By-laws.
- (6) All commercial activities at the lorry station should be operated by permits.

15. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

16. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

M. Upper Denkyira East Municipal Assembly (Food) By-laws, 2023

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

1. Commercial Use of Food wrappers

- (1) No person within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall wrap food in anything other than a food wrapper as defined in these By-laws.
- (2) Any vendor who contravenes these By-laws shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment and in the case of continuing offence a further fine not exceeding one (1) penalty unit for each day on which the offence is continued after written notice of the offence has been served on the offender.

2. Payment of conveyance/export fees

- (1) No person shall be permitted to convey/export foodstuff from the area of authority of the unless a fee for conveyance/export of foodstuff has paid to the Assembly.
- (2) Any person who contravenes paragraph 1 of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

3. Packaging and Labelling of Food

- (1) Any person who labels, packages, sells, or advertises any food in any manner that is false, misleading or deceptive as regards its character, nature, value, substance, quality, composition, merit or safety commits an offence.
- (2) Where a standard has been prescribed under any enactment for any food, any person who does not label or any person who labels, packages, sells or advertises any food in such a manner that it is likely to be mistaken for food of the prescribed standard commits an offence.
- (3) Any person who sells to the prejudice of a purchaser any food which is not of the nature, substance or quality of the article demanded by the purchaser commits an offence.
- (4) It is not a defence to the offence under subsection (3) to plead that the purchaser was not prejudiced by reason that he bought the food for analysis or some purpose other than for consumption.

4. Cleanliness of food selling sites

- (1) Any person who sells, prepares, packages, conveys, stores or displays for sale any food or drink:
 - a) at any place less than one hundred yards from an insanitary drain, latrine, urinal, septic tank, or refuse dump or under insanitary conditions
 - b) that is exposed to flies and dust or
 - c) in an open space without any adequate enclosure commits an offence.
- (2) An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he shall at the close of each day thoroughly clean his place or selling site and sweep all rubbish from the space of selling and its surroundings and place the rubbish in dustbins or a location provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind.

5. Protection of food from dust, flies and other contaminants

- (1) No article which is likely to be used for human consumption, shall be exposed either to dust or flies and shall be disposed of in such a manner as will satisfy the sanitation rules prescribed by Assembly
- (2) Food meant for human consumption shall not be exposed for sale in any market, unless it is protected by means of screens of a pattern approved by the Environmental Health Unit of the Assembly.
- (3) No person shall expose any article or food for sale except from a stall or from a table or other support of a minimum height of twenty inches from the ground.
- (4) All Food, Meat and Drink offered for sale to the public, shall be prepared under hygienic conditions or in any place approved by the Municipal Assembly
- (5) Meat meant for preparation of food should be inspected and proved fit for human consumption by the Assembly.
- (6) All cooking utensils, plates, cups, cutlery, blenders, grinding stones or any other item(s) used for food preparation, sale and servicing, shall be well sanitized or washed with potable or clean water and kept in clean storage facilities or place(s).
- (7) Only potable water shall be used for preparation of food meant for sale or household consumption.
- (8) The practice of carrying meat products in the booths of vehicles, open vehicles being trampled upon by butchers, baskets, and other unhygienic practices is hereby banned.
- (9) The Assembly's Environmental Health Unit shall ensure that meat being conveyed to any market in the Municipal shall be conveyed in a recognized meat van.

6. Sale of Expired Food, Drink and Drugs

- (1) No person shall exhibit or offer for sale to the public for human consumption, any expired food or drink products such as canned or labelled food and any expired drug or herbal Medicinal Products.
- (2) The Assembly or any authorized officer of the Assembly shall have the power to enter any provision stores or markets and drug store or any such places where food and drug or herbal medicine products are displayed for sale for the purpose of conducting routine and casual inspections of such products.
- (3) The Assembly or the authorized officer may seize any expired products during inspection for destruction.
- (4) The owner of such expired product may voluntarily surrender such products for destruction by the Assembly.

7. Seizure of Food or Drink items

- (1) Any person or group of persons who contravene any of the provisions of these By-laws shall have their food or drink items seized by any Health Officer or other officers of the Assembly who are acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.
- (2) Upon seizure of the food and drink items, the Health Officer shall issue the owner with a seizure certificate duly signed by the Municipal Co-ordinating Director and the Municipal Environmental Health Officer indicating the date items were seized, name of owner, type, brand, quantity or number and condition of food or drink items seized.
- (3) Such certificate shall attract a fee fixed by resolution of the Assembly.

8. Closure of premises

The Municipal Coordinating Director shall on the advice of the Municipal Environmental Health Officer, order the closure of any premises where food is manufactured, prepared or sold if the Assembly has reason to believe that the food is exposed to the risk of contamination and the Municipal Coordinating Director may make such further order as he deems appropriate in the circumstances.

9. Food unfit for human consumption

- (1) Any person who:
 - a) sells or offers or exposes for sale, or has in his possession for sale; or
 - b) deposits with or consigns to any person for the purpose of sale, any food intended for, but unfit for human consumption commits an offence.
- (2) Where a food in respect of which an offence under paragraph (a) of subsection (1) has been committed was sold to the person charged by some other person, that other person shall also be guilty of the offence.
- (3) Where a person is charged with an offence under paragraph (b) of subsection (1) or under subsection (2), it is a defence for him to prove-
 - a) that he gave notice to the person to whom he sold, deposited or consigned the food in question that it was not intended for human consumption; or
 - b) that, at the time he delivered or dispatched it to that person, either it was fit for human consumption or he did not know, and could not with reasonable diligence have ascertained that the food was unfit for human consumption.
- (4) Any person who offers for sale canned or tin food or drink in a dented or bulging or rusted condition or is unwholesome or likely to be unwholesome or offers for sale any food or drink item which has expired commits an offence under these By-laws.

10. Prescribed outfit for food handlers

No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the Assembly and made up as follows:

- a) A white hair cap,
- b) A white apron,
- c) A pair of white latex hand gloves
- d) and any other outfit as Assembly shall deem necessary.

11. Mandatory training of Food handlers

- (1) It shall be mandatory for any person or group of persons who prepares food or drink either for consumption by an institution or for sale and consumption by the public to undergo yearly food/drink hygiene, and safety capacity building and trainings organised by the Assembly at a fee determined by the Assembly and payable by the person or group of persons engaged in the food or drink preparation.
- (2) Upon successful completion of the training, a certificate of participation duly signed by the Municipal Co-ordinating Director and the Municipal Environmental Health Officer shall be issued to the person or group of persons who underwent the training. Such certificate shall be valid for one year.

12. Medical Health Certification

- (1) A person suffering from any infectious or contagious disease shall not prepare or sell food for public consumption.
- (2) The Assembly ensure that all food and drink sellers shall undergo medical screening and certification once in every year.
- (3) All certificates shall be valid until the 31st of December of every year.
- (4) No person shall sell prepared food or meat or Drink at any place or factory unless he/she has obtained a Medical Health Certificate signed for that purpose by the Assembly.
- (5) No certificate shall be issued to any person or persons except such a person has undergone a genuine medical screening on the recommendation of the Municipal Environmental Health Authorities.
- (6) Fee for Medical Certificate for the sale of Food/Drink/Meat shall be specified in the Fee-Fixing resolution of the Assembly for any particular year for all categories
- (7) Health Certificate issued by the Assembly is not transferable and shall be renewable every year
- (8) Any alteration whatsoever renders it invalid.

13. Inspection by Environmental Health Officer

- (1) The Municipal Environmental Health officer or other officer acting on his/her behalf may inspect the place and conditions of sale at any time without notice.
- (2) Upon the recommendation by the Municipal Environmental Health officer, the Assembly may stop the operations of the said facility found under insanitary state notwithstanding that the Medical Health Certificate is still valid.

14. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws

15. Penalty

- (1) Except as otherwise provided, any person who is found guilty of an offence under this part is liable on 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 a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) In addition to any fine imposed the court, where it deems fit shall order the Assembly's Health officer appointed for that purpose to dispose of the food or drink in question in a sanitary manner.

16. Interpretation

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

“Food” means anything that is ingestible, edible or drinkable either cooked or in the raw state.

“unfit for human consumption” includes but not limited to the following food/ drink condition: putrefaction, adulteration, expired or exposed to flies, dust and bad handling practices

“food wrapper” means a newspaper or biodegradable material specially prepared for wrapping food or other non-injurious material approved by the Ghana Standard Authority.

“Unwholesome Food” means any food article that:

- a) Has in or upon it any poisonous or harmful substances
- b) Consists in whole or part of any filthy, putrid, rotten, decomposed or diseased substance;
- c) Is unfit for human consumption
- d) Is adulterated
- e) Is injurious or likely to be injurious to health;
- f) Is not of the nature, substance or quality prescribed by standards.

Food shall be deemed to be adulterated if:

- a) Any substance has been added to it or mixed or packed with it to increase its bulk or weight or to reduce its quality or strength or make it appear better or of greater value than it is;
- b) It contains any additive not expressly permitted by the regulations for the food concerned or is in excess of the quantity permitted;
- c) Any constituent that exceeds the amount stated on the label or permitted in the regulations;
- d) Any substance that has been substituted wholly or in part of it
- e) Its nature, substance and quality have been injuriously affected

N. Upper Denkyira East Municipal Assembly (Control of Self-Employed Artisans) By-laws, 2023

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

1. License to practice trade

- (1) No artisan, shall lawfully practice his trade/profession in any area of authority of Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) except he shall have first obtained a license to that effect from the Assembly.
- (2) The license so obtained shall have such fees as fixed by a resolution of the Assembly.
- (3) Any person who had ceased to operate or work as artisan shall obtain a fresh License in the month of the year in which he intends to resume operation.
- (4) Any license so issued under These By-laws shall expire on the 31st day of December of the year in which it was issued.

2. Conditions

The issuance and renewal of a License shall be premise on such conditions as the Assembly may from time to time impose including but not limited to the following:

- a) keeping his premises clean and environmentally friendly
- b) only operating specific activities specified in the permit.
- c) preventing unauthorized persons unto his premises, including children during and after working hours.

3. Location of Artisans

The Assembly where required may establish and maintain a designated place or places for the activities of artisans.

4. Register of Artisan

The Assembly shall promote the formation of artisanal associations, co-operative groups and other organizations; compile and update a register of individual artisans and artisanal associations in the Municipal.

5. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.

Interpretation

In these By-laws unless the context otherwise requires: -

“Artisan” shall denote practitioner in any class of trade/profession specified in sub-paragraph (ii) who is not employed in any government department, State Corporation or any registered company.

“Artisans” include sprayers, Painters, Leather Workers, Soap Makers, Cobblers, Plumbers, Wood-Carvers, Motorized, Hand Saw Operators, Vulcanizers, Fitters, Tailors, Cutting Seamstress, Mattress makers, Welders, Masons, Mechanics, Contractors, Draughts men, Electricians, Blacksmiths, Photographers, Carpenters, Repairers, Hairdressers, Block makers, Weavers, Spare parts dealers, Washer men, Letter writers, Saw Mill operators, Corn Mill Operators, Flour Mill Operators, handicraft man etc.

O. Upper Denkyira East Municipal Assembly (Numbering of Houses) By-laws, 2023

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

1. Numbering of Premises / Appointment of Enumerators

The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) may cause all premises to be numbered in all or any of the towns or villages within the area of authority of the Assembly and may appoint persons (hereinafter referred to as “Enumerators”) for the purpose.

2. Power of Entry of premises

An Enumerator may enter any premises between the hours of 6:00 am and 6:00 pm for the performance of his duties and may ask the occupants questions to obtain such information as he requires.

3. Marking of Premises

- (1) An Enumerator may make a sufficient mark upon any premises for the identification of such premises.
- (2) Any person who removes, alters, obliterates, covers or defaces any mark made in accordance with paragraph (3) of these By-laws or who otherwise hinders or prevents the correct indication of any premises shall be guilty of an offence and shall 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 a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

4. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or assaults the Health Officer, or any member of the salt iodization enforcement taskforce or any designated officer or other officers of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws

5. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment..

6. Interpretation

In these By-laws unless the context otherwise requires: -

“Premises” mean any house, hut, shed, structure, or roofed enclosure whether used for the purpose of human habitation or otherwise.

P. Upper Denkyira East Municipal Assembly (Control of Poultry in Dwelling Houses) By-laws, 2023

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

1. Maximum number of poultry to be kept in a dwelling house

- (1) Subject to the provision of these By-laws, the maximum number of poultry that may be kept in a dwelling place within Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) administration area shall be fifty (50) heads.
- (2) Whenever the sanitary condition of the poultry causes nuisance, the Assembly shall order its closure.

2. Impounding of excess poultry

- (1) A Health Officer of the Assembly duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept and may in writing request the owner or keeper of the poultry to dispose of the poultry which is in excess of the permitted number within fourteen (14) days.
- (2) Where the owner or keeper fails to dispose of the excess poultry within the stipulated fourteen (14) days after receipt of a written notice, the authorised officer of the Assembly may impound them.
- (3) Where an owner or keeper who contravenes the provisions of sub-paragraph 1 of paragraph 2 commits an offence under these By-laws and the court in addition to a fine or conviction prescribed may order the owner or keeper to dispose of the excess poultry within a specified period.

3. Housing of poultry

Poultry shall be kept in deep litter or hatchery case or in any other suitable housing, the floor of which shall be strewn with suitable absorbent material such as saw dust or wood shavings to minimize the smell of the droppings.

4. Size of housing

The size of the housing for poultry shall be as specified in the schedule to these By-laws, unless the Assembly in its discretion determines otherwise.

5. Disposal of droppings

- (1) Litter or droppings cleared from deep litter or battery cages or other structure housing poultry shall be disposed of in accordance with any law governing sanitation in the Municipal and in a manner as the Assembly’s Health Officer may direct.
- (2) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

6. Stray poultry

- (1) An owner or keeper of poultry shall not allow his poultry to stray outside the premises owned or occupied by him.
- (2) A Health Officer of the Assembly duly authorized, may impound any strayed poultry which he finds in a public place.

7. Custody of stray poultry

An owner or occupier of any premises into which poultry stray, may impound them and he shall within twenty-four (24) hours, surrender them to the Assembly or arrange for the Assembly or its Health Officer to take possession of them.

8. Redemption of impounded stray poultry

The owner of any impounded stray poultry may redeem them after paying a fine for each day that the poultry is kept.

9. Failure to pay expenses of stray poultry

- (1) Where the expenses of keeping the poultry are not paid by the owner within fourteen (14) days after being impounded, the keeper or other person appointed by the Health Officer shall sell them by Public Auction and pay the proceeds therefrom to the Treasurer of the Assembly,
- (2) The auction notice shall be left at the dwelling-house of the owner.
- (3) Where the owner is not known, the notice shall be conspicuously posted in a usual place for the posting of public notice in the town where the animals were seized.
- (4) The Assembly shall pay the owner of the poultry the amount realized from the sale of the poultry less any expenses incurred by the Assembly for keeping and selling the poultry.
- (5) An owner of a poultry sold by public auction must make demands for payment for the poultry sold within six (6) months after such sale.

10. Inspection of premises

A duly authorized officer of the Assembly or an officer of the Ministry of Health (M.O.H) may at any reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of conducting inspection or:

- (a) Advising on or enforcing any By-laws relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to man; or
- (b) Finding out if the conditions under which poultry are being kept meet the requirements of these By-laws.

11. Discretionary powers of the Assembly

Notwithstanding the provisions of these By-laws, the Assembly may, where it is satisfied that sufficient land is available for the purpose, authorize the keeping of poultry in excess of the limit specified in paragraph (1) subject to such conditions relating to sanitation as it may be reasonably necessary in the public interest.

12. Assembly not liable for injury of impounded animal

The Assembly shall not be liable for any injury or harm suffered by the impounded animal.

13. Owner to pay for damages

Where damage is done by the impounded animal to the crops or other property of another person, the owner of such impounded animal shall pay for such damage.

14. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who are acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws

15. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

16. Interpretation

In these By-laws unless the context otherwise requires-
“Poultry” includes domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons.

SCHEDULE (Paragraph 4)

The minimum area occupied by poultry (unless kept in battery cages) shall be as follows

- (a) Housing for 50 heads of poultry 7.5 sq. meters
- (b) Housing for poultry between 50 and 100 heads 152 sq. meters
- (c) Housing for poultry between 100 and 200 heads 304 sq. meters

Q. Upper Denkyira East Municipal Assembly (Use of Classroom by Religious Bodies) By-laws, 2023

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

1. Permit

No person, group of persons or any religious body shall use a classroom for the observance or celebration of any religious function within the area of administration of the Upper Denkyira East Municipal Assembly (hereinafter referred to as the "Assembly") unless approval from the Assembly has been obtained.

2. Temporary Use of Classrooms

Any such approved use shall, in any event, be in the nature of temporary use.

3. Period and Conditions for approval

- (1) A religious body which has been given approval under these By-laws to use classroom shall benefit from such approval only for the period specified by the Assembly and under the conditions as shall be determined by the Assembly.
- (2) The condition shall be as follows-
 - (a) The religious bodies shall be well-established and shall be interested in providing facilities for the enhancement of educational facilities within the Municipal.
 - (b) The religious bodies shall be financially sound and capable to undertake building projects for schools in accordance with specifications as the Assembly may direct;
 - (c) The religious bodies shall cause no nuisance or noise pollution to the neighbourhood or environment;
 - (d) The religious bodies shall without any unreasonable delay repair any damage done to the classroom and/or the furniture therein;

4. Fees

The religious bodies shall pay a fee stipulated per month to the Assembly in accordance with the fee-fixing resolution of the Assembly

5. Assembly's Contribution

- (1) The Assembly may contribute workmen and technical advice when the need arises as a complement to the efforts of the religious bodies where the religious bodies have enough funds and has satisfied the conditions stated in These By-laws.
- (2) Religious bodies shall co-operate with the local communities so that the schools shall become community school when created.

6. Site of new schools

Schools to be established shall not be sited near existing Municipal Assembly schools or other public schools in order that enrolment shall be maximized.

7. New school established by religious body

- (1) The religious body shall provide furniture for newly established schools initiated by them.
- (2) The school so built shall be in the public system under the Municipal Assembly's education unit.
- (3) The religious body shall be represented on the school committee which shall be formed to run the school.
- (4) An agreement shall be executed between the religious body and the Municipal Assembly vesting the property in the latter.

8. Inspection of premises

An officer duly authorized by the Assembly to conduct inspection may enter and inspect the conditions of the premises and may request any person/group of persons or religious body to produce its permit for inspection as required by paragraph (1) of these By-laws.

9. Revocation of License

The Assembly may revoke a license where a person, group of persons or religious body has been convicted on one occasion of an offence in breach of these By-laws or any other law.

10. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health officer or any officer of Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these by-laws

11. Penalty

Any person or group of persons or religious body who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not more than three (3) months or both the fine and imprisonment.

12. Interpretation

In these By-laws unless the context otherwise requires-
“Classroom” means schools other than private schools.

R. Upper Denkyira East Municipal Assembly (Licensing of Commercial Vehicle) By-laws, 2023

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

1. Licensing of Commercial Vehicles

- (1) Every person who owns and operates a commercial vehicle within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall obtain from the Assembly in respect of that vehicle a license (hereinafter referred to as “Commercial Vehicle license”).
- (2) A driver permitted under These By-laws as a commercial driver must possess a license to drive commercial vehicles issued by the Driver Vehicle Licensing Authority.

2. Form of license

A commercial vehicle license shall be in such form as the Assembly may determine.

3. Period of validity

A commercial vehicle license shall be valid for the period indicated thereon and subject to renewal on such terms and conditions as the Assembly may determine.

4. License fee

The fee payable shall be determined from time to time by a resolution of the Assembly.

5. Identification Label

Any person to whom a commercial vehicle license is issued shall paste on the vehicle an identification label provided by the Assembly for that purpose for the period that the license remains in force.

a) Embossment Tags

All owners or drivers of Commercial Vehicles shall obtain from the Assembly, an Embossment Tag at a fee that shall be fixed by the Resolution of the Assembly.

b) Car Stickers

All owners or drivers of Commercial Vehicles shall obtain from the Assembly, Car Stickers at an amount that shall be determined by the Assembly’s Fee Fixing Resolution.
(The sticker shall be affixed to the windscreen of the vehicle and the sticker shall be renewed annually.

c) Illumination

Every taxi shall be provided with means of illuminating a sign bearing of the word “Taxi” fitted with the approval of the Licensing Officer and the driver shall when plying for hire between 6:00p.m. and 6:00a.m cause the sign to be illuminated.

6. Commercial Vehicle Registration

- (1) No commercial vehicle registration shall be approved under these By-laws unless the vehicle in respect of which the registration is required has been licensed as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Act or any other appropriate enactment at the time in force.
- (2) A commercial vehicle registration shall not be approved unless the vehicle in respect of the registration has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate affixed to the plate. Every vehicle registered under these By-laws shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.

7. Payment of Daily Tolls

All owners or drivers of Commercial Vehicles operating within the Area of Authority of the Assembly shall have to pay at the Assembly’s Revenue Check Points, Daily Tolls of amount that shall from time to time, be determined by the Fee Fixing Resolution of the Assembly.

8. Number of Passengers

A licensed commercial vehicle shall not be permitted to carry more than the permitted number of passengers as determined by the Driver Vehicle Licensing Authority.

9. Duties of Licensees

- (1) Every owner/driver of a commercial vehicle under These By-laws shall:
 - (a) Observe all traffic regulations including pedestrian crossing;
 - (b) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.
 - (c) Notify the Assembly of any change in his postal, residential or office address within seven days of such change.
 - (d) Keep and maintain the commercial vehicle in good repairs.
- (2) Every owner/driver of a commercial vehicle under These By-laws shall not
 - (a) Permit any person other than the person licensed under These By-laws to drive the commercial vehicle unless the person also holds a commercial driver's license
 - (b) Remove, deface, alter, mutilate or cancel the license or any notice mark affixed to the commercial vehicle in pursuance of These By-laws nor, allow or permit any other person to do same.
 - (c) Permit the commercial vehicle to be used for any unlawful purpose.
 - (d) Display any advertisement inside or outside the coach or taxi without the consent of Assembly or the appropriate authorities as required by the By-laws of the Assembly with regard to fees.

10. Wearing of Uniforms

Where applicable, all Taxi Cab Drivers shall at all times wear the prescribed uniforms of the Taxi Drivers Unions. However, if the said unions do not have such uniforms, the drivers shall wear any attire and foot wears that shall make them look neat and decent.

11. Revocation of license

- (1) A commercial vehicle registered under a permit shall be revoked by the Assembly. if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time of or any other provisions of These By-laws.
- (2) The Court may make an order for the suspension or the prohibition of the use of the vehicle for transport services where the driver has been convicted under These By-laws on two or more occasions for-
 - (a) Using the coach, minibus, bus or taxi for illicit purposes;
 - (b) Dishonesty; or
 - (c) Failing to keep or maintain the coach or taxi in a manner required by any enactment for the time being force.

12. Penalty

- (a) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment
- (b) Where a person has been convicted more than twice under these By-laws, the court shall order the suspension of his license for a period of three (3) months in respect of each subsequent offence.

13. Interpretation

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

‘Commercial Vehicle includes coach, minibus, bus, taxis or any vehicle that is used for Commercial or Business activities.

“An Owner of a vehicle” means any person in whose custody, charge or possession or in whose home or premises a commercial vehicle is found or seen unless the contrary is proved shall be deemed to be owner of that vehicle.

S. Upper Denkyira East Municipal Assembly (Licensing and Control of Bicycles) By-laws, 2023

In exercise of the powers conferred on the Upper Denkyira East Municipal Assembly by Section of the Local Governance Act, 2016 (Act 936) these By-laws are hereby made:

1. Bicycle License

Every person who lets out a bicycle on hire within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “Assembly”) shall obtain from the Assembly in respect of the bicycle a license

2. Fee

The fee payable to the Assembly for a Bicycle License in accordance with these By-laws shall be any amount fixed by a resolution of the Assembly.

3. Form and Duration of Bicycle License

- (1) A bicycle license shall be in such form as the Assembly may determine and in accordance with conditions specified by the Assembly for the operation of such business.
- (2) Any bicycle license shall be valid as from the date of issue until the 31st day of December of the issuing year.

4. Register for Bicycle license

The Assembly shall keep a register of all bicycle licenses issued by it and shall specify in the register, the name and abode of every person to whom a bicycle license has been issued and the number of bicycles the person owns.

5. License to be produced on demand

- (1) It shall be the duty of every person who has a bicycle license to produce and deliver it for examination by either a police officer or an officer of the Assembly who so requires it.
- (2) Any police officer or an authorized officer of the Assembly may demand and conduct an on-the-spot inspection on any cycle for the purposes of ascertaining its roadworthiness and validity of the License.

6. Bicycle Badges

Any person to whom a bicycle license has been issued shall, whilst the license remains in force, keep on the bicycle a badge of type approved by the Assembly for use during the year in which the license was issued.

7. Bicycles to be maintained

Every person who owns or lets out bicycles for hiring shall maintain such bicycles and ensure that they conform to the required condition of fitness.

8. Owner of a bicycle

For the purpose of these By-laws, any person in whose custody, a charge or possession or in whose house or premises a bicycle is found or seen shall unless the contrary is proved be deemed to be the person who owns that bicycle.

9. Prohibition of use of School Premises for Hiring Bikes

No bike hirer shall use school premises or a place near a school premises for the hiring of bikes while schools are in session, except otherwise provided in these By-laws.

10. Riding without light and reflectors

A person shall not ride a bicycle without light and reflectors.

11. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.
- (2) Any person who negligently causes harm to a person, animal or property while riding a bicycle shall be guilty of an offence and be liable on 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 a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (3) The Court may in addition to any penalty that it may impose, order the offender to make good the value of the property damaged or destroyed by him.

12. Interpretation

In these By-laws, unless the context otherwise requires: -
“bicycle” shall include unicycles, tricycles, motorcycles.

T. Upper Denkyira East Municipal Assembly (Excavation/Conveyance of Stone, Gravel and Sand) By-laws, 2023

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

1. Permit for excavation

- (1) No person shall be permitted to excavate or collect stones, gravels or laterite or win sand from any place in the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”), whether or not for commercial purposes unless he obtains from the Assembly a permit to do so.
- (2) No person shall within the Assembly’s area of administration undertake any excavation on any road without obtaining a permit from the Assembly for that purpose.

2. Application for permit

- (1) An application for a permit to carry out an excavation exercise shall be made in writing addressed to the Municipal Chief Executive before excavation work begins.
- (2) The application for the permit shall be in a form specified in the schedule to these By-laws and shall only be signed by the Municipal Chief Executive or any other competent officer when the application is approved.
- (3) A permit issued under the provisions of these By-laws may be granted subject to conditions as the Assembly may determine in the interest of public safety and order within the Assembly’s area of determination.

3. Mode of Application

- (1) An applicant shall:
 - (a) state the name and address,
 - (b) enclose a site plan of the area of the intended operation,
 - (c) state the mode of winning, namely, excavation by mechanical means or by manual means,
 - (d) state the duration of winning operation and the application shall be countersigned by the Assembly and the landowners of the area.
- (2) When all due processes have been satisfied, the Development Planning Committee shall recommend that the permit/license be granted to the applicant by the Assembly. The Assembly, when satisfied by the recommendation of the Development Planning Committee shall grant the permit.

4. Particulars of Permit

- (1) The permit shall have the following requirements:
 - (a) The permit shall contain the name and address of the operator,
 - (b) The hours of operation these shall be 5:00 a.m. to 6:00 p.m. and a special permit from the Assembly after 6:00 p.m.
 - (c) The duration of the permit or license,
 - (d) The fee to be paid for the permit shall be determined by the Assembly periodically, and
 - (e) The specified deposit to be determined by the Assembly which is refundable upon successfully reclaiming the land.
- (2) A permit issued by the Assembly shall be produced on demand at the site at all times to an authorized officer of the Assembly.
- (3) A holder of a permit shall not assign, sell or part with it to another operator without the prior consent of the Assembly.

5. Precaution during Excavation

Where a permit is granted, a person undertaking any excavation in any street he shall-

- (a) announce by radio or the like to the public his intention to undertake an excavation on a public road or street;
- (b) in any event notify, in writing, the person representing the area in the Assembly
- (c) At his own expense cause it to be sufficiently fenced; and
- (d) Maintain sufficient light or reflective device in proper place on or near it at all times until the work for which the excavation was made is completed; and
- (e) Re-fill the excavated area to the specification of the Assembly within such time as the Assembly may specify.

6. Fee

- (1) The fee payable to the Assembly for any license issued in accordance with these By-laws shall be fixed by a resolution of the Assembly.
- (2) Stone Quarry operators shall pay a fee in cubic meter as it shall be determined by the fee fixing resolution of the Assembly.

7. Withdrawal of License

A holder of a permit who violates any provision under these By-law would have the permit withdrawn.

8. Reclamation of land

A person who does not reclaim the land after winning the sand, stone or gravel will be blacklisted in addition to the payment of a fine of not less than 250 penalty units.

9. Creation of nuisance prohibited

Nothing in any permit granted under the provisions of these By-laws shall be deemed in any manner to authorize commission of any nuisance or any condition injurious or likely to be injurious to any member of the public.

10. No Liability

- (1) The Assembly shall not be liable by virtue of any permit issued under these By-laws for any damage to a person, animal, thing, building or structure during and after the time that the process of excavation is in progress.
- (2) The Assembly shall not be vicariously liable for any loss or damage suffered by a member of the public by reason of the negligence or nuisance caused by the person or left behind by him

11. Failure to observe conditions

In the event that any person to whom a permit is issued fails to observe any of the conditions specified in the permit or any of the provisions of these By-laws, the Assembly may do whatever is lawfully necessary to ensure compliance and may recover expenses incurred as debt from a person on whose behalf the reasonable expenses were incurred

12. Permanent reinstatement fee

The Assembly shall be solely responsible for the permanent reinstatement of all excavations exercise undertaken within the Assembly and it shall charge in addition to the permit fee, reinstatement fees according to the materials used and the dimension of the work involved.

13. Conveyance of Sand, Stones and Gravels

(1) Loaded Trucks to be covered with tarpaulin

Any person who uses a Tipper Truck or any other vehicle to convey sand, stones or gravels from any place in the area of authority of the Assembly, shall cover same with Tarpaulin or any suitable material.

(2) Payment of Loading Fee

A driver or a person in charge of a truck loaded with sand, stone or gravel shall pay a loading fee which the Assembly determines, and shall be issued with a receipt by the Assembly.

(3) Conveyance fee

A Conveyance Fee per vehicle per trip of sand, stones or gravels, to be fixed by the resolution of the Municipal Assembly, shall be payable to the Assembly by the owner or driver of such materials.

14. Unauthorized Operation

- (1) A driver or a person in charge of a vehicle caught within an unauthorized pit winning sand, stone or gravel commits an offence punishable by a fine of not less than 250 penalty units, or a term of imprisonment not less than six (6) months or to both.
- (2) A driver or a person in charge of any truck loaded with sand, stone or gravel working outside the working hours commits an offence.

15. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) Where a fee is to be paid, defaulters shall pay a fine of less than 250 penalty units and the sand, stone or gravel confiscated to the Assembly.

16. Interpretation

In these By-laws unless the context otherwise requires: -
“Road” includes streets, pathways, footpaths and pavement

SCHEDULE

Permit No.....

The Upper Denkyira East Municipal Assembly (Regulation of Excavation) By-laws, 2023 (Paragraph 1, 2 and 3).

Permit is hereby issued to.....

of.....

Within the area of administration of the ASDA for period.....

Fee paid GHc:..... Date:-.....

.....
Municipal Coordinating Director

U. Upper Denkyira East Municipal Assembly (Protection of Economic Trees) By-laws, 2023

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

1. Prohibition of cutting down economic trees without license

- (1) No person shall fell, uproot, tap, girdle, injure or destroy any economic tree unless he first obtains a license to do so from the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) and unless he complies with any conditions which the Assembly may give and endorse on the license.
- (2) A License granted under these By-laws shall expire immediately that economic tree has been cut.

2. Felling of trees near river banks

It shall not be lawful for any person under any circumstances to fell, or cause to be felled any tree which is situated at least fifty meters from the banks of any river in the Municipal.

3. Trees to be replanted

- (1) A person granted a License under These By-laws to cut an economic tree shall replant a tree of the same or similar stock within 30 days at the spot or in the vicinity where the tree is cut and shall be responsible for nurturing the trees to grow within two (2) years of planting them.
- (2) A person granted permission for the use of land which or whose usage depletes plant life shall reclaim the land and replant trees within six (6) months after the on the land.
- (3) Any person who is granted a License under these By-laws to cut an economic tree shall require to pay a fee as determined by the Forestry Commission for the purpose of replanting before he or she shall be allow to fell a tree.

4. Fee

The fee payable to the Assembly for any license or receipt issued under paragraph (1) of these By-laws shall be of an amount fixed by a resolution of the Assembly.

5. Firewood Dealer

- (1) A person shall not deal in firewood within the area of authority of the Assembly unless he obtains a license from the Assembly. Any License issued shall be granted subject to such conditions as the Assembly may determine and shall expire on the 31st December of the year in which it is issued.
- (2) The Assembly may charge a fee as fixed by a Fee-Fixing Resolution in respect of any License issued.
- (3) Any person who deals in firewood shall not offend against any of the environmental or forestry laws, in particular and shall not engage in any reckless cutting down or felling of trees. For the avoidance of doubt, no person shall in any way contribute to climate change, soil erosion, land degradation and deforestation in consequence of the cutting down or felling of trees.

6. Manufacture of Charcoal

- (1) A person shall not manufacture charcoal for commercial purposes in the area of authority of the Assembly unless he obtains a License from the Assembly to do so.
- (2) A person shall not cut down or fell any economic tree or tree in a forestry reserve area in the Assembly for the manufacture of charcoal unless he first obtains a License to do so from the Assembly and such License shall expire on the 31st December of the year in which it was issued subject to the payment of such fee as may be determined by a resolution of the Assembly.
- (3) No driver of any vehicle shall sell, transport distribute or supply any charcoal within the area of authority of the Assembly unless he holds a License from the Assembly to do so.
- (4) Any person who wishes to bring charcoal into any area within the Municipal for purpose of sale shall obtain from the Assembly a license to do so.
- (5) Any manufacturer of charcoal who disturbs or harms wild life and habitats or causes soil erosion and deforestation commits an offence and may be constrained by the Assembly on environmental grounds.

7. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less three (3) months and not more than six (6) months or both the fine and imprisonment.
- (2) The court may in addition to any penalty imposed may order any charcoal or firewood which is subject of an offence to be sold by public auction or otherwise and the proceeds paid to the Assembly.

8. Interpretation

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

“River” include any river, pond, stream and spring, natural or artificial pool.

“Tree” include commercial trees like Odom, Wawa, Emire, etc.

“Firewood dealer” means any person who sells or offers for sale of firewood.

V. Upper Denkyira East Municipal Assembly (Entertainment) By-laws, 2023

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

1. License

- (1) No person shall organise any form of public entertainment within the administrative area of the Upper Denkyira East Municipal Assembly (hereinafter called “Assembly”) without first obtaining a license for the purpose.
- (2) Notwithstanding sub-paragraph (1) of this paragraph no license shall be required for-
 - a) Entertainment devoted to charity and
 - b) Entertainment for which no fees are charged.
- (3) A license issued under sub-paragraph (1) of this paragraph shall-
 - a) not be transferable; and
 - b) be valid only for the period which it is issued.

2. Activities for which License shall be obtained

- (1) The Assembly shall issue a license for-
 - a) Concerts, theatrical performances, video shows, cinemas, fair, circuses, dances, discotheques and other entertainments to which money or reward is given; and
 - b) Billiards, horse racing soccer and lawn tennis unless these activities are being devoted to charity.
- (2) The Assembly shall determine the fees to be paid under the sub-paragraph (1) of this paragraph by a resolution of the Assembly.

3. Hours of Operation

- (1) Any license issued under these By-laws shall permit any activity for which the license was issued to take place within the time and date stipulated on the License.
- (2) The Assembly may by a resolution grant an exception from the payment of fee as it may consider appropriate.

4. Entertainment Premises

Where any entertainment, act or thing is to be held in any premises other than the Community Center, Town Hall or Cultural Center, the landlord or occupier granting permission for the use of the premises shall not allow such entertainment, act or thing to take place unless he is satisfied that the necessary fee(s) has been paid to the Assembly.

5. Admittance and Restriction

- (1) A promoter of any entertainment show or activity shall not admit any child below the age of sixteen (16) years unaccompanied by an adult relative.
- (2) Promoters of entertainment shows or activities shall indicate in a conspicuous place whether such show or activity is restricted to adults only.
- (3) Where admittance to an entertainment activity is restricted to adults only, no child below the age of sixteen (16) years shall accompany the adult to such entertainment activity.
- (4) Where admittance is made open to the general public without restriction, it shall be an offence for children under sixteen (16) years of age unaccompanied by adult relatives to be admitted.
- (5) Subject to the provision in sub-section (4) above, no promoter of an entertainment show or activity shall allow a child below the age of sixteen (16) years to remain on the premises after 9.00 p.m.
- (6) A promoter shall not show any programmes contradictory to the laws relating to public morals, or are incitement to crime or are otherwise contrary to public policy
- (7) A License holder shall not:
 - a) permit smoking on the premises;
 - b) sell or offer for sale alcoholic beverage to any person aged under eighteen (18) years;
 - c) entertain or encourage or look on at any morally offensive conduct;
 - d) display any pornographic material; or play any pornographic music; and
 - e) cause noise pollution.

6. Right of entry

An officer of the Assembly duly authorized, has the right of entry to any premises of entertainment for the purpose of inspection.

7. Power to revoke License

The Assembly may revoke an entertainment license if the licensee is convicted of an offence against any provisions of these By-laws.

8. Operation of Commercial Entertainment Centres

- (1) Any person or entity operating a commercial entertainment centre shall take a license from the Assembly before operating same.
- (2) The Assembly shall before granting and or renewing a license to a centre, examine the premises to ascertain the suitability in the nature of spaciousness, good ventilation and adequate firefighting equipment to ensure the safety of the premises to be used.

9. Protection of Children

- (1) An operator shall not screen games depicting gambling, prostitution, smoking, drinking and any other unhealthy and unacceptable behaviour to the children to expose them to physical, psychological, emotional and moral dangers.
- (2) An operator of an entertainment centre shall not allow a child below the age of sixteen (16) years to patronize an entertainment centre during school hours except during weekends and holidays and shall be accompanied by a responsible adult
- (3) An operator of an entertainment centre shall not allow a child to patronize any centre after 6.00 pm unaccompanied by a responsible adult.

10. Security and Safety

Any entertainment premises shall:

- a) be covered by fire and occupiers' liability insurance, acceptable to the Assembly;
- b) provide emergency exits; have on the premises fire extinguishers;
- c) provide urinal facilities;
- d) safe seats or chairs; and
- e) shall be built of safe material.

11. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws

12. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

Interpretation

In These By-laws, unless the context otherwise requires;

“Children” means any person less than 18 years,

“Commercial Entertainment Centre” means video or game centre,

“Operator” includes the Owner, Manager or any person in charge of the centre.

W. Upper Denkyira East Municipal Assembly (Sale of Alcoholic Beverage/Liquor) By-laws, 2023

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

1. License

- (1) No person shall sell any alcoholic beverage/liquor including “akpeteshie” palm wine, corn beer (pito) and any other fermented liquor without a license issued by the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”).
- (2) The premises upon which any alcoholic beverage/liquor is sold shall be inspected and recommended by the Municipal Environmental Health Officer for approval by the Assembly before a license is issued for that purpose.
- (3) An application for such a license (which in every case shall be subject to such conditions as the Assembly may impose) shall be in writing to the Assembly.
- (4) A License may be granted half-yearly and every license shall unless forfeited, continue in force from the date of issue until the 30th day of June or the 31st day of December, whichever first happens.
- (5) The fee for every half-yearly license shall be in accordance with the fee-fixing resolution of the Assembly and no license shall be granted on payment of a sum less the fee for a whole half-year.

2. Withdrawal of License

The Assembly may withdraw any license under these By-laws if any alteration is made to any premise licensed (after the license has been granted) or if the licensee is convicted of any contravention or breach of any provisions of these By-laws.

3. Display of sign boards at entrance of premises

The holder of License under These By-laws shall keep, suspend or fix over the entrance of the licensed premises a sign-board with his name, number of the license and the words “Licensed to sell palm wine, corn beer (Pito) or Akpeteshie” conspicuously written.

4. Specifications of premises for the sale of palm wine, corn beer or Akpeteshie

- (1) A room used for the sale of consumption of palm wine, corn beer or Akpeteshie in any premises licensed under these By-laws shall not be less than 4 meters long, nor less than 6 meters wide and no part of such room shall be less than 5 meters high.
- (2) The floor of any such room shall be of concrete or other impervious material and the walls shall be capable of being washed.
- (3) In every such room adequate lighting and ventilation shall be provided.
- (4) No room used for the sale or consumption of palm wine, corn beer (Pito) or Akpeteshie in any premises licensed under these By-laws shall be used as a living or bedroom or shall open directly into any such room or into a latrine, bathroom or kitchen.
- (5) In every room used for the sale of palm wine, corn beer or Akpeteshie in any premises under these By-laws, fly-proof storages shall be provided for stocks of palm wine or corn beer (Pito) or Akpeteshie not in immediate use.
- (6) There shall be shelves for the storage of drinking cups and other utensils and sufficient chairs or forms and tables for the accommodation of customers.

5. Prohibition of unfit persons

- (1) No license or person in charge of the premises licensed for the sale of alcoholic beverage/liquor shall allow any person suffering from infectious disease to take part in the serving or sale or consumption of drinks or to remain on the premises.
- (2) A person of unsound mind (e.g., lunatic) shall be kept away from the premises.
- (3) No person who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall be allowed to take part in the serving or selling of alcoholic beverage/liquor in any premises.

6. Hygiene Practices

- (1) There shall be suitable arrangements made by the owner or any person in charge of the sale of alcoholic beverage/liquor for the cleaning and storage of drinking glasses and utensils in the premises for inspection by a Health Officer.
- (2) There shall be provided in such places sanitary facilities and places of convenience as the Assembly may determine.

7. Prohibition of sale of Alcohol at or near lorry parks

No person shall under any circumstance sell palm wine, corn beer (Pito) or Akpeteshie or any other alcoholic beverage at a lorry park or within a radius of 300 meters from a lorry park.

8. Inspection

An officer from the Environmental Health Unit of the Assembly may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for the sale of the intoxicating liquor in respect of whether the licensee is complying with the terms of the license.

9. Prohibition

- (1) A licensee or person in charge shall not allow any person who has not attained 18 years to buy or sell intoxicating liquor or enter or remain in the premise after 9:30 pm.
- (2) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.
- (3) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.
- (4) No person suffering from any infectious or contagious disease shall be allowed to sell beer or drinks in a Drinking/Beer Bar or remain in the premises.

10. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws

11. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less six (6) months and not more than twelve (12) months or both the fine and imprisonment.

12. Interpretation

In these By-laws unless the context otherwise requires: -

“Palm wine, Corn Beer (Pito) and Akpeteshie” shall also include any other locally made alcoholic beverage or drink.

“liquor” means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane,

X. Upper Denkyira East Municipal Assembly (Growing and Sale of Crops) By-laws, 2023

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

1. Requirement and registration of crop site

No person shall grow crops at a place other than on land within his premises unless he has registered with the Municipal Director of Agriculture or an officer appointed by him for that purpose, furnishing his name and address and the description of the site where the crops are to be grown.

2. Watering and irrigation

No crops shall be cultivated in an area affected by solid or liquid waste or watered or irrigated by the effluent from a drain from any premises or any surface water from a drain which is fed by water from a street drainage.

3. Infected person

- (1) No person who has a discharging wound or sore or the symptoms of any infectious disease shall take part in the growing, harvesting, packaging or sale of crops.
- (2) No person who has not undergone health examination of fitness and issued with Assembly Health certificate of fitness which shall be valid until 31st December of the issuing year shall take part in the growing and sale of crops.

4. Sale of crop at authorized places

No crops shall be sold, offered or displayed for sale at any other place than in a market, stall, or kiosk approved by the Assembly.

5. Sale of crop at unauthorized places

No crops shall be displayed for sale on a road, pavement or sidewalk, near a refuse dump or site or public latrine or any filthy place.

6. Crops unfit for sale

- (1) The Municipal Director of Health or an officer appointed for that purpose may, where he considers necessary in the interest of public health, declare any crops unfit for human consumption.
- (2) No crops declared unfit for human consumption shall be sold, offered or displayed for sale as food for humans.

7. Obstruction

No person shall insult, obstruct, resist or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of these By-laws

8. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

9. Interpretation

In these By-laws unless the context otherwise requires: -

“Crops” means lettuce, tomatoes, radishes, onions, cucumber, water melon, oranges, bananas, pineapple, nkontomire, mangoes, carrot, cabbage or other agricultural produce likely to be eaten in an uncooked state.

Y. Upper Denkyira East Municipal Assembly (Solid and Liquid Wastes Management) By-laws, 2023

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

1. Management of Solid and Liquid Waste

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) or its accredited agents or contractors shall be exclusively responsible for the management of both solid and liquid wastes within the entire area of the Assembly.
- (2) All registered solid and liquid waste management agents or contractors of the Assembly shall sign a Memorandum of Understanding with the Assembly to enhance Public Private Partnership and Sanitation, Hygiene and other standards enforcement by the Assembly.
- (3) No sanitation service provider whether accredited or not accredited shall render any sanitation services in an area or concession not allocated to him or her by the Assembly.

2. Responsibility for and Disposal of Waste

- (1) Every household, industry, office, institution and any other premises shall make its solid and liquid waste available to the Assembly or its accredited agents or contractors for collection by first registering with the Assembly or its accredited agent or contractor assigned to the area known as concession or area of operation.
- (2) For the avoidance of doubt, any waste deposited in any part of the Assembly shall be the property of the Assembly.
- (3) Any person who unlawfully enters thereon shall be a trespasser.

3. Solid and Liquid Waste Management

Solid and liquid waste made available by owners or occupiers of premises shall be collected, treated and disposed of at designated sites by the Assembly or its accredited agents or contractors under the supervision of the Environmental Health Officers of the Assembly.

4. Liaison with Assembly

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

5. Solid waste containers

- (1) Owners and occupiers of premises shall be responsible for the provision of standard containers that will be used in storing solid waste within their premises in consonance with specifications approved by the Assembly
- (2) The Assembly or its accredited solid waste contractor or agent shall ensure timely emptying of waste bins or central communal refuse containers of its clients to prevent the bins from becoming full to the brim and spilling over

6. Prohibition of Pan and Pit latrines

Pan latrines and pit latrines without vent pipes are prohibited in the Municipal.

7. Fee

- (1) The Assembly shall impose prescribed fees on an owner or occupier of premises where services are rendered for disposal of liquid or solid waste and such fees shall be reviewed from time to time.
- (2) All clients of the Assembly or its accredited contractors or agents shall ensure the timely payment of their monthly solid and liquid waste collection fees to the Assembly or its accredited contractor or agent.
- (3) In the event of failure by a client to ensure timely payment of his or her monthly fees as indicated in sub paragraph 2 above, the Assembly on behalf of its accredited contractor or agent shall serve the client a demand notice specifying time for payment of the fee. Failure by the client to pay the fees on the specified time shall constitute an offence and the Assembly on behalf of its accredited contractor or agent shall seek a redress in a competent law court.

8. Offences

A person commits an offence when he:

- (a) fails to provide a standard container as prescribed by the Assembly; or
- (b) receives services from unaccredited person or service provider, or uses unauthorized containers; or
- (c) refuses to allow the Assembly or its authorized agents or contractors to collect solid or liquid wastes from one's premises; or
- (d) fails or refuses to pay prescribed fees for waste management services;
- (e) uses pan latrine and pit latrines without vent pipes
- (f) fails to inform the Assembly or its authorized agents or contractors when the septic tank or pit on his or her premises or at the public latrines becomes full;
- (g) indiscriminately dumps solid or liquid waste in open spaces, drains, gutters, behind walls, in streams, rivers or on the banks of streams or rivers, burns or buries solid waste in one's compound
- (h) defecates or urinates anywhere other than in a public toilet or urinal;
- (i) without prior approval of the Assembly recycles waste;
- (j) upon demand by the Assembly or its authorized agents on discovery of any nuisance fails and/or refuses to provide one's name or other relevant personal particulars;
- (k) causes or is likely to cause blockage of flow in a public drain resulting in stagnation of the flow;
- (l) connects drains in his premises to a public drain without prior authorization by Assembly; and
- (m) does any act or omits to do any act in contravention of any of the provisions of these By-laws

9. Final disposal site

- (1) Where the Assembly has set aside a place for the final disposal or treatment of solid and liquid waste, no persons or group of persons or agencies shall operate a final waste disposal or treatment site without a written application and approval from the Assembly.
- (2) All activities taking place at a final waste disposal or treatment site shall be regulated in a manner as shall be directed and determined by the Assembly.
- (3) No persons or group of persons or agencies not authorised by the Assembly shall carry out any activities at the Assembly's final waste disposal or treatment site.

10. Provision of Domestic/institutional Latrines/Toilets

- (1) It shall be the responsibility of the owner or caretaker or where necessary, the occupants of any dwelling premises to construct improved and adequate domestic or household latrine or toilet facilities on that premises for proper disposal of human excreta so as to prevent open defaecation.
- (2) No person (s) shall engage in Open Defaecation.
- (3) All Institutions, Factories, Industrial Premises, eating premises and other work places shall provide improved and adequate private or Institutional latrines or toilet facilities to prevent open defaecation.
- (4) All building Plans shall clearly indicate the positions of Latrine or Toilet facilities on such plans before approval shall be given by the Statutory Planning Committee of the Municipal Assembly.
- (5) No Domestic or Household Latrine or Toilet Accommodation shall be converted to a sleeping room or any other apartment whatsoever.
- (6) All domestic or private or Institutional Latrines or Toilet Accommodation shall be kept neat or tidy always.
- (7) No individual or a group of individuals shall connect water closet system or any night soil pipe to any drain or any surface water bodies.

11. Siting of Latrine/Toilet Facilities

- (1) The Environmental Health officers of the Municipal Assembly shall be invited by writing, to conduct inspection of any site on the premises where the owner or occupier shall earmark for the construction of a latrine or toilet facility.
- (2) Where necessary, the Environmental Health Officers may be invited to assist to select a suitable site on the premises for the construction of a latrine or toilet facility.

12. Confinement of Waste Water

- (1) Every household, owner or occupier of a premise shall confine all forms of waste water in a septic tank, soakaway or a catch pit or where applicable link it to a sewerage system for onward draining to the main waste water treatment plant by means of a drain or PVC pipe.
- (2) The linkage drain in paragraph 1 shall be made of either a PVC pipe or concrete which shall be conversed

13. Waste Water Quality Analysis

No household, owner or occupier of a premise shall allow any form of waste water (which has not undergone Waste Water Quality Analysis in a laboratory to ascertain its conformity to Environmental Protection Agency's (EPAs) Permissible Levels or limits and safety) to drain into an open space, drain, stream, river or any other water bodies.

14. Application

These By-laws apply to all premises such as dwelling houses, industrial or commercial houses, institutions, wash rooms, public toilets, urinals, restaurants, eating bars, structures or sheds whether or not permanently occupied within the Municipal.

15. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health officer or any officer of Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these by-laws.

16. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

17. Interpretation

In these By-laws unless the context otherwise requires:

“Person” means both legal and natural persons;

“Liquid Waste” means faeces or effluent (from septic tanks);

“Solid Waste” means refuse and rubbish.

“Sanitation Service Providers” means cleaning, disinfection and disinfestation and fumigation contractors, public toilet, urinal and bath house operators, final waste disposal and treatment site managers, cesspit emptying companies, scavengers, door to door solid waste contractors or agents, central communal solid waste container collectors, public drain desilting contractors, meat transporting companies, dealers in recyclable wastes, contractors of sanitary facilities etc.

“Accredited Sanitation Service Provider or Contractor or Agent means a sanitation service provider who has duly registered and signed a Memorandum of Understanding (MoU) with the Assembly

“Pan latrine” means any toilet facility where human excreta is disposed of from premises by usage of head pan or buckets.

“Improved toilet/latrine” means a sanitation facility which hygienically separates human excreta from human contact. Example water closets, pour flush Kumasi Ventilated Improved Pit Latrine (K.V.I.P.), Ventilated Improved Pit Latrine (V.I.P.), Aqua Privy, Septic Tank, Environ-loo etc.

“Open Defecation” means defecating outside or an open field or space and not into a designated toilet.

“Standard refuse container” means a container with a fitting cover.

Z. Upper Denkyira East Municipal Assembly (Control of Eating Houses) By-laws, 2023

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

1. License to own/operate eating house

- (1) The owner of every eating house shall obtain a license from the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) after a site and premise suitability inspection has been conducted and recommendation given by the Municipal Environmental Health Officer for approval by the Assembly.
- (2) There shall be paid in respect of every license such amount as may be fixed by a resolution of the Assembly.
- (3) Every license issued under these By-laws shall expire on the 31st December of the year in which it is issued.
- (4) Every license granted shall be personal to the licensee only and shall not be transferable.

2. Provision of kitchen

Every eating house shall be provided with:

- a) A separate kitchen used solely for cooking and for the preparation of food, water and liquid refreshment for use in the eating-house
- b) Every kitchen in an eating house shall be of a type recommended by an Environmental Health Officer and approved by the Assembly and in every such kitchen suitable fly-proof storage for foodstuff shall be provided with one or more tables for the preparation of food.
- c) Every kitchen shall be provided with adequate covered receptacles for the disposal of refuse

3. Requirements of public eating-rooms

- (1) A separate room which shall be used solely as a public eating room.
- (2) Every room used as a public eating room in any eating house shall not be less than 5 feet long and not less than 12 feet wide and no part of such room shall be less than 10 feet high.
- (3) The floor of every public eating room shall be of concrete or other impervious material and the walls shall be capable of being washed.
- (4) Every public eating room shall be provided with adequate lighting and ventilation.
- (5) No living or sleeping- room shall open directly into a public eating room.
- (6) Every public eating-room shall be provided with shelves or cupboards for the storage of plates and other utensils, and suitable table and chairs or benches shall also be provided.

4. Sanitation/Hygiene

- (1) Every eating house shall be provided with suitable places for washing of plates or utensils.
- (2) All persons engaged in handling of food or drink shall take reasonable steps to protect food or drink from any risk of contaminations.
- (3) No proprietor or operator or worker who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall sell or handle food for sale or serve food in a public eating house.
- (4) No proprietor or worker of a public eating house shall operate such a public eating house without displaying his/her valid health certificate in a conspicuous place in the eating house.
- (5) No proprietor of an eating premises shall operate in an insanitary or unhygienic environment.
- (6) All public eating houses shall provide adequate wash rooms with adequate hand washing with soap under running water facilities.

5. Hygiene and safety Capacity development training

All eating house operators and workers shall undergo yearly food/drink sanitation, hygiene and safety capacity development and trainings organized by the Assembly and shall be issued with certificate of participation at a fee determined by the Assembly and payable by the operators and workers. Such certificate shall be valid for one year.

6. Prohibition of Infectious persons

No proprietor of an eating premises or persons in charge of such eating house shall allow a person suffering from an infectious or contagious disease to take part in the preparation or serving of food in the eating house.

7. Nuisance

No animals such as dogs, cats, fowls, flies, cockroaches, rats etc. likely to cause a nuisance shall be kept or allowed in the compound of any eating house.

8. Obstruction

No person shall insult, obstruct, resist or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of these By-laws.

9. Drainage

The proprietor of a restaurant or eating house shall provide a suitable drainage of waste water from the premises of a restaurant or eating house.

10. Withdrawal of license

The Assembly may withdraw any license issued under these By-laws if any alteration is made to premises licensed hereunder after the license has been granted without the approval of the Assembly, or the licensee is convicted of contravening any of the provisions of these By-laws.

11. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

12. Interpretation

In these By-laws unless the context otherwise requires: -

“Eating house” means any premises where food is prepared or cooked, or water or liquid refreshment is manufactured or provided for sale to the public for consumption therein.

“Eating house” includes: Hotels, Restaurant, And Eating Joints or Chop Bars

AA. Upper Denkyira East Municipal Assembly (Cemeteries) By-laws, 2023

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

1. Control and Management of Cemetery

The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall have the control and management of all cemeteries within the area of its authority.

2. Site plan for the Cemetery

The Assembly shall cause a plan of each cemetery to be prepared by a licensed Surveyor in collaboration with the Municipal Works Engineer and

- (a) The plan shall delineate the position of all grave spaces and pathways;
- (b) The plan shall be kept by the Municipal Environmental Health Officer; and
- (c) A copy of the plan shall be kept in the office of the Municipal Environmental Health Officer.

3. Infant burial and free burial

- (1) Each cemetery may have separate places for infant burials and free burials.
- (2) Each of such grave space shall be 1.2 metres by 0.9 metres.
- (3) No free burial shall be allowed without the authority of the Municipal Coordinating Director in consultation with the Municipal Chief Executive.
- (4) The authority given under sub paragraph (3) shall be in writing and the reasons for the free burial shall be stated therein.

4. Grave Size and Depth

- (1) A grave space in every cemetery shall be 2.4 metres by 1.2 metres
- (2) No grave in cemetery shall be less than 1.2 metres deep.
- (3) Each grave space delineated and plotted in the plan under paragraph 2 of these By-laws shall be consecutively numbered.
- (4) The Assembly shall in accordance with its fee-fixing resolution, stipulate fees payable for graves, grave space and vaults.

5. Headstones

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

6. Fees

The Assembly shall in accordance with its fee-fixing resolution, stipulate fees payable for graves, grave space and vaults.

7. Crematoria

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

8. Burial Permit

- (1) No burial shall be allowed without a permit issued by the Municipal Coordinating Director.
- (2) There shall be an application for a permit for the burial of a person in a stool cemetery or royal mausoleum.
- (3) Such application shall be accompanied by a written consent of a Head of Stool or a Head of Royal Family.
- (4) No permit shall be issued in respect of sub-paragraph (3), without such consent.
- (5) Where there is no head under sub-paragraph (3) the President of the Traditional Council may give his consent.

9. Time of burial

- (1) Burial shall take place in any public cemetery between the hours of 8am and 12 noon and between 2pm and 6pm
- (2) Any burial conducted outside the stipulated hours under sub-paragraph (1) of this paragraph shall be with the written consent of the Municipal Coordinating Director in consultation with the Municipal Chief Executive.
- (3) No burial shall be allowed outside the Assembly’s approved cemetery unless with a written approval from the Assembly after an application has been tendered for such burial. Such burials shall attract fees fixed by a resolution of the Assembly.

10. Register

The Municipal Environmental Health Officer shall cause a register of burials to be kept in the form shown in the schedule.

11. Nuisance

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

12. Home burial

- (1) No Home burial shall be allowed without a written authority of the Assembly. A written authority shall specify the reason(s) why the Home burial is permitted in each case.
- (2) A home burial shall be carried under the supervision of an Environmental Health Officer or any authorized Officer and shall attract extra fees as determined by a resolution of the Assembly.

13. Hiding of Burial

No burial shall be hidden under any circumstance without prior notice to the Assembly.

14. Exhumation

- (1) Any person who intends to exhume the body of a relative or for a specific reason shall apply in writing to the Coroner for an order to carry out such activity and shall notify the Assembly.
- (2) The applicant on receipt of the exhumation order granted by the Coroner shall notify the Assembly, and shall pay an exhumation fee determined by a resolution of the Assembly.

15. Establishment/Creation of Private Cemetery

- (1) No person or a group of persons or a company shall establish or create a Private Commercialized or a Private Non-Commercialized Cemetery unless upon application to the Assembly and an authorized Officer of the Assembly has conducted an inspection of the site and has declared it suitable for the intended purpose in his/her Suitability Report.
- (2) After the inspection if the site is found to be suitable, the applicant shall prepare and submit his/her site plan to the Assembly and if he/she satisfies all the necessary requirements the Assembly shall issue a Cemetery Development Permit to such applicant at a fee that shall be determined by the Fee fixing Resolution.
- (3) In the case of a Private Commercialized Cemetery, a Business Operating Permit shall be obtained from the Assembly before its operation commences. A Business Operation Fee that shall be determined by Fee Fixing Resolution payable annually to the Assembly.
- (4) A Private Cemetery shall be subject to routine and casual inspection by the Environmental Health Authorities when the need arises.

16. Powers of the Assembly

- (1) Any cemetery set aside for the burials of royals shall be or become the property of the Assembly.
- (2) The legality or otherwise of a cemetery shall be determined by the Assembly whose decisions shall be final
- (3) Any person or organization other than the Assembly or a Department of Health Officer commits an offence who hinders the burial of the dead body of any person at a cemetery in the Municipal or lay down conditions for leave to do so.
- (4) Any person or organization other than the Assembly or the Department of Health Officer who interferes with any procession for the purpose of the burial of a dead body in a cemetery in the Municipal commits an offence.
- (5) No burial of the dead body of a person in a cemetery in the Municipal shall be discriminated against on any grounds other than health and sanitation.

17. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

18. Interpretation

In these By-laws unless the context otherwise requires-

“Cemetery” includes public and stool cemetery as well as Royal Mausoleum.

SCHEDULE

First Schedule

All towns and villages within the area of authority of the Assembly.

Second Schedule (By-law 8)

Register for burial in Upper Denkyira East Municipal Assembly cemetery.

at

Name of person buried (Surname first)

.....

(State if stillborn or nameless)

Date of burial.....

Grave space granted

Register office

Date on which grave space was granted

Name of Grantee.....

Signature of sexton.....

.....
Municipal Environmental Health Officer

AB. Upper Denkyira East Municipal Assembly (Manufacture/Distillation of Alcoholic Beverage/Liquor) By-laws, 2023

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

1. License

- (1) No person shall distil, manufacture, transport, distribute, supply and keep for sale any alcoholic beverage/liquor including “akpeteshie” palm wine, corn peer (pito) and any other fermented liquor without a license issued by the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”).
- (2) A License shall be issued after a site suitability inspection has been conducted by the Environmental Health Officer recommending same for approval by the Assembly.
- (3) An application for such a license (which in every case shall be subject to such conditions as the Assembly may impose) shall be in writing to the Assembly.
- (4) A License may be granted half-yearly and every license shall unless forfeited, continue in force from the date of issue until the 30th day of June or the 31st day of December, whichever first happens.
- (5) The fee for every half-yearly license shall be in accordance with the fee-fixing resolution of the Assembly and no license shall be granted on payment of a sum less the fee for a whole half-year.

2. Withdrawal of License

The Assembly may withdraw any license under these By-laws if any alteration is made to any premise licensed (after the license has been granted) or if the licensee is convicted of any contravention or breach of any provisions of these By-laws.

3. Health Condition

- (1) No licensee or person in charge of the premises licensed for the distillation of alcoholic beverage/liquor shall allow any person suffering from infectious disease to take part in production of the alcoholic beverage/liquor or to remain on the premises.
- (2) A person of unsound mind (e.g., lunatic) shall be kept away from the premises.
- (3) No person who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall be allowed to take part in the distillation/manufacture of alcoholic beverage/liquor in any premises.
- (4) All Akpeteshie Distillers or Palm Wine Tappers operating within the area of authority of the Municipal Assembly, shall be subject to medical screening yearly and shall be issued with approved Health Certificates by the Assembly.

4. Power of Entry/Inspection

An officer of the Assembly may enter upon the premises of the distiller of alcoholic beverage/liquor for purposes of inspecting the premises used for distilling or manufacturing of the intoxicating liquor in respect of:

- a) whether the licensee is complying with the terms of the license,
- b) randomly test samples of the intoxicating liquor for analysis.

5. Prohibition

Any distiller of alcoholic beverage/liquor commits an offence for doing any of the following things or acts:

- a) distils the liquor in such a way or place as to make it harmful to health on consumption,
- b) fouls or pollutes any water body,
- c) causes any damage to fish culture,
- d) causes air pollution or noise pollution, and
- e) causing alteration in the character or quality of flow of any stream.
- f) uses polluted water in his manufacturing activities
- g) adds substances aimed at enhancing the alcoholic content, thereby posing a threat to human health and well-being

6. Prohibition of Adulteration and Contamination of alcoholic beverage/liquor

- (1) No Akpeteshie meant for human consumption shall be adulterated with water or any other chemical substances by any seller or producer.
- (2) No Palm wine tapper shall use any poisonous or harmful substances such as DDT, etc, which are likely to be harmful to the health of consumers, to tap any palm wine.
- (3) All Akpeteshie or Palm wine products to be offered or displayed for sale for human consumption, shall be kept in clean containers and be kept in clean places and out of flammable substances and temperature not exceeding 37°C.

7. Conveyance Fees

A conveyance fees fixed by the resolution of the Assembly, shall be payable by the conveyer or the owner of large quantities of any alcoholic beverage/liquor that shall be transported within the area of authority of the Assembly.

8. Felling of oil palm and raffia palm trees

- (1) A person shall not fell palm or raffia palm tree without a permit from the Assembly.
- (2) The Assembly shall determine the fees an applicant shall pay.

9. Children

- (1) Assembly shall not issue a license to a distiller or seller who operates with children under 18 years of age.
- (2) Where a person issued with a license operates with children under 18 years, the license shall be revoked and shall only be restored after the Assembly has satisfied itself that the breach shall not continue.

10. Display of license or production on demand

Every distillation/manufacturing premises shall display the license issued by the Assembly in a conspicuous place and deliver same for examination by an officer of the Assembly when required to do so.

11. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws.

12. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less six (6) months and not more than twelve (12) months or both the fine and imprisonment.

13. Interpretation

In these By-laws unless the context otherwise requires: -

“Palm wine, Corn Beer (Pito) and Akpeteshie” shall also include any other locally made alcoholic beverage or drink.

“liquor” means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane,

AC. Upper Denkyira East Municipal Assembly (Control of Animals) By-laws, 2023

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

1. Permit

- (1) No person shall keep any animal including swine, cattle, sheep or goat within the area of administration of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) without a permit issued by the Assembly based on site suitability inspection by the Municipal Environmental Health Officer or an officer appointed by him for that purpose recommending for approval by the Assembly.
- (2) The fee for the permit shall be determined in accordance with a fee fixing resolution.
- (3) Notwithstanding sub-paragraph (1) of this paragraph a person may keep animals within the area of administration of the Assembly for domestic, religious or customary purpose 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 stench or noise to neighbours; and
 - (c) are attended to by Veterinary officers or assistants and that owners are to ensure that sanitary rules specified by Ministry of Health (MOH) are maintained.

2. Maximum Number of goats and sheep to be kept in a dwelling house

- (1) The number of goats and sheep to be kept in any dwelling house shall not exceed ten (10).
- (2) Subject to sub-paragraph (3) of paragraph 1, no person shall keep swine and cattle in any premises except at designated places as approved by the Assembly

3. Inspection of premises

- (1) A Health Officer or agent appointed by the Assembly may enter at any reasonable time and inspect any premises where swine, cattle, sheep or goats are kept.
- (2) Any animals found in excess of the permitted number may be impounded by the officer of the Assembly.

4. Stray Animals to be impounded

- (1) An officer, servant or agent of the Assembly appointed under paragraph 2 (1) may impound any swine, cattle, sheep or goat found in a public place without any person being in charge of it.
- (2) An owner or occupier of any premises into which an animal stray, may impound them and he shall within 24 hours, surrender them to the Assembly or arrange for the Assembly or Environmental Health Officer to take possession of them, and the expenses incurred borne by the owner of the strayed animal(s).
- (3) An owner of any impounded goat or sheep may retrieve it on conditions that may be determined by the Assembly.

5. Owner to pay for expenses

- (1) Any animal impounded may be detained therein for seven (7) until the owner or possessor pays the fees as approved by a resolution of the Assembly.
- (2) The owner or possessor of any animal detained after the days stipulated under sub-paragraph (1), who fails to pay the fee and expenses for which he is liable under these By-laws shall have his animal auctioned.
- (4) Every feeding cost of the cattle shall be charged to the owner per day.

6. Sale of impounded stray animal

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

7. Notice to be given to owner

- (1) The Assembly shall before auctioning any stray animal give three (3) days’ notice of the sale to the owner of such animal or bird.
- (2) Where the owner is not known the notice shall be placed in conspicuous place in the town or village where the animal or bird is found.

8. Disposal of Animals

The Assembly through the Environmental Health and Sanitation Unit shall be empowered to dispose any infected stray animal. The officer in charge shall issue a report on any animal disposed of and the report shall be in the form of a letter signed by the Chief, Unit Committee Chairman and the Assembly member of the community.

9. No liability

The Assembly shall not be liable for any swine, cattle, sheep or goat that may die after it has been impounded.

10. Owner to pay for damage

Where damage is done by the impounded animal to the crops or other property of another person, the owner of such impounded animal shall pay for such damage.

11. Harboursing of Cattle and Swine in residential area

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

12. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance or any duties relating to any of the purposes of these By-laws

13. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

14. Interpretation

In These By-laws unless the context otherwise requires-

“Animals includes but not limited to horse, sheep, goats, cattle, monkeys and pigs”

AD. Upper Denkyira East Municipal Assembly Municipal Assembly (Protection of Waterbodies and Conservation of Coastal Environment) By-laws, 2023

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

1. Protection of riverside

- (1) A person shall not:
 - a) weed any riverside except with written permission of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”);
 - b) carry on washing of vehicles or watering of cattle in any riverside except at designated points;
 - c) carry on any noxious trade or activity along river side;
 - d) cause any material damage to the riverside or disturb the status quo;
 - e) plant or cultivate any crop on the riverside without approval by the Assembly.
 - f) whilst along river side cause any nuisance or in any way disturb fish ecology or the quality of water; and
 - g) use water bodies for any purpose without written permission of the Assembly.
 - h) dump refuse in any river and, or at any riverside.
 - i) use any chemical in an attempt to catch fish.
 - j) use any river and or riverside as a place of convenience.
 - k) dump night-soil in any river and or riverside
 - l) bath, urinate, spit or wash clothing’s in any river and or near a river side.
- (2) A building or structure shall not be built or erected along any riverside or at a distance likely to, in anyway whatsoever, cause changes in the volume or flow of water.
- (3) The Assembly may, if it deems fit, require the Environmental Protection Agency to cause the preparation of impact statement covering any likely effects on water bodies.
- (4) Any such impact statement shall be submitted to local enquiry after which the Assembly shall by resolution advise the Executive Committee whether or not to grant necessary permit or License with necessary conditions or limitations.

2. Pollution

- (1) Any discharges of pollutants into any water body whether or not it is a drinking water source shall require a permit or License of which the public has prior notice.
- (2) The concept of strict liability shall apply.

3. Protection of Coastal Environment

The Assembly shall be the body responsible for matters related to the coastal environment in its area of authority and shall be under a duty, limited only by national laws, to do what it can to avoid grave and irreversible loss and damage to the coastal environment.

4. Permits, Licenses and Offence

- (1) Any person who wilfully and without any permit or License or other lawful authority does any of the acts or things described below commits an offence:
 - a) introduces a non-native flora or fauna into any protected area; or
 - b) interferes with the habitat in any way whatsoever; or
 - c) carries on any polluting activities; or
 - d) kills, damages, destroys, captures, hunts, collects, transports, takes or sells any species of coastal wild fauna and flora; or
 - e) alters the configuration.
- (2) The Assembly may, subject to the national laws, grant necessary permits or licenses for specific or exceptional objectives in protection, conservation and management of the coastal environment.
- (3) Any permit or License by the Assembly may for any reason, stated or not stated, be revoked, suspended, reviewed, refused renewal or made subject to special additional conditions.

5. Penalty

Any person who contravenes these By-laws, shall be guilty of an offence and shall be liable upon conviction by a Court to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

6. Civil Action

Any penalty imposed on the offender for an offence or breach provided in These By-laws shall be without prejudice to any civil action that the Assembly or its prosecutors may commence to seek any of the following reliefs:

- a) community service;
- b) injunctive order;
- c) indemnities or compensatory damages;
- d) restitution order where the situation can be restored to its pre-injury state; and
- e) any other relief that may be deemed just.

7. Interpretation

For the purpose of These By-laws:

“**River**” relates to any water shed, river, pond, lake, lagoon, waterfall, water-course or waterbody.

“**Pollutants**” include solid waste, incinerator residue, sewage, garbage, sewage sludge, chemical waste biological materials, wrecked or discarded equipment, rock, sand and agricultural waste discharged into water bodies.

“**Weeding**” includes any activities that tend or may tend to disturb the, natural environment or the land, cultivation or removal of sand/gravel/clay or undertaking of animal farming, or any like usage.

“**Riverside**” means that piece of land measuring 30 metres between the river and the main land.

“Coastal environment” includes coastal lagoons, rocky shores, mangrove swamps. “Endangered species” means any species that is in danger of extinction.

“**Environment**” includes that part of nature which is or could be influenced by human activities.

“**Fauna species**” include oysters, gastropods, crabs, invertebrates, birds and fish.

AE. Upper Denkyira East Municipal Assembly (Maintenance of Premises) By-laws, 2023

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

1. Maintenance of Premises

- (1) A household or an owner or occupier of premises within the area of administration of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall keep the house clean, white-washed and painted on regular basis or at least once in two (2) years.
- (2) Where the owner, occupier or landlord fails to comply with sub-paragraph (1) the Assembly may undertake the painting and charge the owner, occupier or landlord with the expense incurred in undertaking the painting.
- (3) A household or an owner or occupier of premises shall keep the premises in good repair and shall clear and keep clean all gutters public or private in or around the premises.
- (4) House owner/occupier shall fix an electric bulb or security lights on the four external sides of the premises to avoid hideouts.

2. Removal of Articles Creating Obstruction

Where articles are arranged in front of a building in such a way that they constitute a danger of obstruction to any person or vehicle or the front of the premises is used to provide accommodation of a sort to a person, animal or thing, they shall be removed without notice by the Assembly and the cost shall be borne by the owner or occupier

3. Renovation/demolition of premises

- (1) It shall be the responsibility of the owner, household or occupier of any premises to promptly renovate or demolish the building if it is detected to be very weak, having wide cracks and badly leaked roofing or is in such a dangerous state as to pose a threat to lives and property.
- (2) Notwithstanding the provision of any building regulations an unauthorized structure attached to premises shall be demolished or removed on notice by the Assembly.

4. Inspection

An officer of the Assembly duly authorized may inspect the state of maintenance of any premises within the area of administration of the Assembly

5. Construction across public way

A house owner/occupier shall not construct a gutter, drainage or lay a pipeline across a public way such as road or street except with the prior approval of the Assembly

6. Power of the Assembly to Order the maintenance of Premises

The Assembly may direct the owner or occupier of any premises to do any of the following acts within a prescribed period as it may determine: -

- (1) To remove, lower or trim to the satisfaction of the Assembly any tree, shrub or hedge overhanging or interfering in any way with the traffic in any street or with any wires or works of the Assembly;
- (2) To remove any dilapidated fence or structure abutting any public place;
- (3) To paint, distemper, white-wash or colour-wash the outside walls or roof of any building.
- (4) To install outside lighting on the premises
- (5) To tidy the premises; or
- (6) To move any derelict car or other vehicles

7. Appeal

- (1) A prescribed period specified by the Assembly may be extended upon an appeal by the household, owner or occupier of the premises in reasonable circumstances.
- (2) After the expiration of the prescribed period which has been extended on appeal a person who refuses to comply with the request to white-wash, paint or put the premises in state of cleanliness commits an offence.

8. Refusal to comply with Order

A household, owner or occupier of premises who refuses to repair or keep the premises which is in state of disrepair, dilapidation, collapse or threat to life and property after a reasonable warning or notice by the Assembly shall be deemed to have contravened these By-laws.

9. Undeveloped plots

- (1) The owner or occupier of an undeveloped plot shall keep it clear of weeds and refuse at all times;
- (2) Where the area is not kept tidy and becomes weedy, the Environmental Health Officer for the area concerned shall serve a written notice on the land owner or occupier.
- (3) The owner or occupier of an undeveloped plot, who has been served with a notice shall remedy the situation within seven (7) days of the service of the notice.
- (4) Where the land owner or occupier fails to remedy the wrong, it shall constitute a breach and the Environmental Health Officer shall issue a criminal summons against the land owner or the occupier for failing to clear the land of any weed, refuse and/or rubbish.

10. Abandoned premises

- (1) Where the premises is abandoned and/or in a total state of disrepair, dilapidation or collapse and poses a threat to life and property the Assembly shall serve notice to the owner or occupier of the premises to demolish it within a period of ten (10) working days.
- (2) The Assembly shall seek court order to demolish such abandoned premises and surcharge the household, owner or occupier of the premises for labour cost after the expiration of the period of ten (10) days' notice.

11. Uncompleted dangerous property

- (1) The Assembly shall serve notice to the owner of uncompleted premises which poses a threat to life and property to either complete or demolish the uncompleted house within a specific period of time.
- (2) Where the owner of the uncompleted house fails to either demolish it, the Assembly shall with or without further notice demolish the uncompleted house and surcharge its owner for the cost of labour.

12. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

13. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment

AF. Upper Denkyira East Municipal Assembly (Control of Bush Fires) By-laws, 2023

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

1. Prohibition of Bush fires

Except as otherwise provided under these By-laws it is unlawful for any person to start a bush fire for any purpose whatsoever.

2. Meaning Of Starting a Bush Fire

For the purpose of these By-laws, a person starts a bush fire if any action of his results in the uncontrolled burning of any farm, forest or grassland.

3. Offence

Any person who starts a bushfire either intentionally or negligently that extends to cause destruction to any property or adjoining farm commits an offence

4. Creation of fire belts before starting a fire

Any farmer/person who by way of necessity wishes to set fire in a farm or any other place, shall first create a fire belt of at least six feet wide around the farm/area and he shall also engage the service of farm attendants or the services of fire volunteers to control the fire.

5. Monitoring Bushfires

(1) Any organization responsible for the clearing and weeding of any roadside shall ensure that the roadside is kept free of all bushfire hazards.

(2) Where any damage is caused by a fire set by an employee of any organization, the organization shall be held responsible for the damage.

6. Control of fire

Any person who starts a fire permitted by these by- law shall control the spread of the fire.

7. Duty to report bushfires

Any person who:

- a) Fails to report a person known to him to have started or caused a bushfire or,
- b) Being aware of the occurrence of a bush fire, without good cause, fails to report the occurrence to any of the following persons or body:
 - (i) Fire service
 - (ii) Members of the town, area or unit fire Volunteer Squad
 - (iii) A member of the bush fire control Sub-Committee
 - (iv) A Police Officer;
 - (v) The Traditional Authority in the area of the bush fire commits an offence

8. Establishment Fire Volunteer Squad

There shall be established in every town, area or unit a Fire Volunteer Squad to help suppress and combat bush fires and educate the communities on how to fight and prevent bush fires.

9. Fire prevention measures

(1) The Assembly shall take measure to prevent the outbreak of fire in the Municipal.

(2) In order to enhance the performance of its functions the assembly may without the consent of an occupant authorize agents to:

- a) Enter and if necessary, break into premises or place in which a fire has or is believed to have broken out, or in which it is necessary to enter for the purpose of extinguishing or dealing with fire
- b) Do what is necessary on the premises to extinguishing or dealing with fire,
- c) Secure the use of water under the control of any person, and
- d) The Assembly or its agents may close a street or stop or regulate the traffic in a street whenever it is reasonable to deal with an outbreak of fire.

10. False alarm

A person who knowingly or without lawful authority gives a false alarm on fire outbreak commits an offence.

11. Penalty

Any person who negligently or deliberately causes fire outbreak or any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

AG. Upper Denkyira East Municipal Assembly (Weekly Lotto) By-laws, 2023

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

1. License to operate a Municipal Weekly Lotto

- (1) No person or unincorporated association of persons shall operate a Weekly Lotto within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) unless he applies and obtains from the Assembly a license to do so.
- (2) An application for a license under sub-paragraph (1) of this paragraph shall be accompanied with:
 - a) Two passport size photographs of the applicant
 - b) Evidence of a bank account of not less than Five Thousand Ghana Cedi (GHC5,000.00)
 - c) A certificate of registration from the Registrar-General’s Department.
 - d) full description of the place from which the operations shall be undertaken.

2. Fee

- (1) There shall be paid in respect of every license issued under paragraph (1) of these By-laws a registration fee of such an amount as may be determined by resolution of the Assembly.
- (2) Every operator shall be required to renew his registration license every year at an annual fee of such amount as the Assembly determines.
- (3) Every operator shall pay to the Assembly a monthly operational fee of an amount that shall be determined by the Assembly fee-fixing resolution.

3. Security deposit

- (1) Every applicant shall before granted a license to operate a Weekly Lotto pay to the Assembly a security deposit of such an amount as may be fixed by resolution of the Assembly.
- (2) A withdrawal made out of the security deposit shall be replaced by the operator within thirty (30) days from the date of withdrawal if he intends to continue the operation of the Weekly Municipal Lotto.

4. Places for Operating Lotto

The location shall be in a public place to which the general public has access.

5. Payment of winnings

Every operator shall be required to pay the genuine winnings of lotto stakers.

6. Person qualified to operate Lotto

To qualify for a license to operation Lotto, the person shall be 18 years and above and a Ghanaian citizen.

7. Revocation of License

A license to operate a Municipal Weekly Lotto shall be revoked where the operator:

- a) Is convicted of an offence under these By –laws,
- b) Is unable to maintain the security payable,
- c) Is unable to pay the prize from any weekly lotto from his available resources and the winnings remain unpaid for more than fifteen days from the date of presentation of payment, or

8. Agents

- (1) A license operator may appoint an agent who he considers necessary for the purpose of operating the lotto.
- (2) A license operator shall deposit at the office of the Assembly two passport size photographs of any agent employed by him together with their particulars and shall notify the Assembly when a change in the particulars occurs.

9. Keeping of records and inspection

- (1) A license operator shall keep records of;
 - a) a coupon for the used in operation of the lotto,
 - b) a register of sales of coupons and
 - c) a register of agents
- (2) A license operator shall make available records kept by him for inspection by any authorized officer of the Assembly.

10. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

AH. Upper Denkyira East Municipal Assembly (Funeral Hooliganism) By-laws, 2023

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

1. Insecure seating of passengers

Any person in charge of a motor vehicle who under the pretext of a funeral celebration carries passengers outside a vehicle in a manner which endangers the lives of the passengers commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

2. Over-speeding and unnecessary sounding or hooting of horns

Any person in charge of a motor vehicle who under the pretext of a funeral celebration overspeeds, drives in a manner which endangers the lives of other road users or sounds the horn of the vehicle continuously to disturb the public peace, shall be guilty of an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

3. Illegal Road Blocks

- (1) Any person who under the pretext of a funeral celebration blocks any commercial road/street or restrict free movement of traffic or other road users without written authorization from the Ghana Police Service and the Upper Denkyira East Municipal Assembly commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.
- (2) For the avoidance of doubt, the Head of Family celebrating the funeral shall be held responsible for the breach of section 3 (1) above.

AI. Upper Denkyira East Municipal Assembly (Abatement of Noise Nuisance) By-laws, 2023

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

1. License for the sale of music records

No person shall use any place for the sale of records or other recorded music unless the place has been inspected and recommended by the Municipal Environmental Health Officer for approval by the Upper Denkyira East Municipal Assembly (hereinafter called “the Assembly”) and licensed issued for that purpose.

2. Application for License

- (1) An application for a license shall be made in writing to the Assembly.
- (2) A license may be issued subject to conditions as may be prescribed by the Assembly and after payment has been made of a fee fixed by a resolution of the Assembly.

3. Validity of a License

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

4. Withdrawal of License

The Assembly may withdraw a license issued under these By-laws where the owner of the premises:

- a) makes an unauthorised alteration to any sound-proof design for listening, or
- b) is convicted of any offence under these By-laws or any existing By-laws still in force.

5. Facilities for listening

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

6. Music played for advertisement

- (1) A person shall not play or cause the playing of recorded music or recorded advertisement in public for the purpose of advertisement in such manner as to cause disturbance or nuisance to the public. For purposes of These By-laws, the noise produced shall not exceed the permitted level under the law;
- (2) A person who flouts paragraph 6(1) shall be liable to pay a fine of 80 penalty units.
- (3) The Assembly shall set up a task force to ensure compliance with These By-laws with powers to confiscate all materials being used by the person. The task force shall be based at the sub-metros.
- (4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertake in writing that he or she shall not flout paragraph 6(1);
- (5) If after the written undertaken, the breach continues, the Assembly shall revoke the license granted to the person.

7. Music at Funerals, Night Clubs, Restaurant or drinking bar etc.

- (1) No proprietor or person in charge of a night club, restaurant or drinking bar or other place of refreshment or entertainment shall play music at the place so as to cause a nuisance (i.e. above the permitted noise level under the law) to the public or residents in the area.
- (2) Where recorded music is provided in a night club, restaurant, drinking bar, hotel or other place of refreshment or entertainment, the sound effect of the music shall remain and be heard only within the confines of the place. The room should be equipped with sound-proof instrument and gadgets so as to eliminate any loud noise or nuisance to the public.
- (3) In the case of open areas, the proprietor shall play music only at the permitted noise levels;
- (4) A person who plays a recorded music or live music at a funeral ground must not play music above the noise level required under the law.
- (5) A person may play music at a reasonable pitch up to midnight when:
 - a) wake is being kept; or
 - b) a party is being organized.

8. Religious Institutions

- (1) A person conducting a religious service shall not play or cause music to be played so loudly so as to cause a nuisance to the public and residents in the area.
- (2) A person who seeks to play music in a religious service (where the music is to be played before 6 a.m. or after 12 midnight) shall seek permission from the Assembly in writing except during public and statutory holidays.
- (3) A person may play music in a religious institution or in an entertainment hall or make an address through a public address system so as to be heard only within the confines of the institution or entertainment hall.
- (4) A religious, commercial, educational, industrial institution or an entertainment hall within a residential area shall only play or cause any noise or sound pressure within the permissible noise level (Dba) indicated in the schedule to These By-laws

9. Excessive Noise Levels

- (1) A person using a power generator on a premise shall muffle the noise emanating from the engines so as to prevent it from constituting a nuisance to neighbours.
- (2) No structure or facility such as church building, mosque, entertainment centre, recording studio etc. shall operate within the jurisdiction of the Assembly without soundproof mechanisms in accordance with the specifications of the Assembly.

10. Public preaching at central business area

- (1) To forestall persistent overcrowding and congestions on the streets, pavement and pedestrian walks in the central business Municipal/towns of the Assemblies, public preaching and or playing of religious audio and video cassette with message of Evangelistic nature for the purposes of propagation of a religion is not permitted at the central business area of the city/towns of the Assemblies, between the hours of 10:00a.m. to 3:00p.m.;
- (2) For the purposes of the provision in the preceding paragraph, the areas constituting the central business area shall as specified in the schedule of these By-laws unless the Assembly in its discretion determines otherwise.

11. Noise near hospital and public places

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

- a) Sound or play upon or blow any musical or noisy instrument;
- b) Sound or blow the horn of a motor vehicle unnecessarily or
- c) Make any noise which is a nuisance in any street, open space or other public place.

12. Noise near other premises

- (1) A person shall not in any street, open space or other public place or in connection with any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public are admitted, or in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, loud speaker, gramophone, amplifier or similar instruments make or cause or permit or suffer to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance or disturbance to the occupants or inmates of any premises in the neighborhoods;
- (2) For purposes of the provision in the preceding paragraph the use of mounted loud speakers at vehicle terminals shall strictly comply with the permitted noise level.
- (3) A person shall not within one hundred meters of any shop, dwelling house, office or other premises, sound or play upon any musical or noisy instrument or sing or shout or blow the horn of any motor vehicle unnecessarily in any street to the annoyance or disturbance of any inmate or occupant thereof.

13. Noisy animals

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

14. Noisy hawking

A person shall not for the purpose of hawking, selling, distributing or advertising any articles or goods or buying or collecting any other goods or articles shout or ring any bell or any other noisy instrument in any street or other public place so as to cause disturbance to inhabitants of the neighborhood after being requested to desist by any police officer or the task force established under These By-laws.

15. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

16. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) In the case of a continuing offence, the offender is liable to an additional fine of one (1) penalty unit in respect of each day on which the offence continues after a written warning has been issued by the Assembly.

17. Interpretation

In these By-laws unless the context otherwise requires: -

Statutory and public holidays include:

- | | |
|-------------------|------------------------|
| I. Good Friday | V. New Year's Eve |
| II. Holy Saturday | VI. New Year's Day |
| III. Easter | VII. Local Festival |
| IV. Christmas | VIII. Islamic Holidays |

SCHEDULE**AMBIENT NOISE LEVEL GUIDELINES**

ZONE	DESCRIPTION OF AREA OF NOISE RECEPTION	PERMISSIBLE NOISE LEVEL (Dba)	
		DAY 0600-2200	NIGHT 2200-0600
A	Residential areas with negligible or infrequent transportation	55	48
B1	Educational (School) and Health (Hospital, Clinic) Facilities	55	50
B2	Areas with some commercial or light Industry	60	55
C1	Areas with some light Industry, places of Entertainment or public assembly, and places of worship such as churches and mosques.	65	60
C2	Predominantly Commercial Areas	75	65
D	Light Industrial Areas	70	60
E	Predominantly Heavy Industrial Areas	70	70

AJ. Upper Denkyira East Municipal Assembly (Production and Sale of Sachet and Bottled Water) By-laws, 2023

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

1. License

A person shall not produce bottle and or sachet water for sale in any place within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly') unless he has obtained a License issued for that purpose in the form set out in the Schedule hereto and no such License shall be issued to any person or persons except on the recommendation of the Municipal Environmental Health Officer.

2. Fee

The fee for a License to produce bottle and or sachet water shall be as specified in the fee-fixing resolution of the Assembly for any particular year for all categories.

3. Sale of Bottle and Sachet Water to Public

Before bottle and or sachet water is sold to the public

- (a) it shall be prepared in an appropriate factory or in any place approved by the Food and Drugs Authority and the Assembly
- (b) it shall be and sold to the public in sealed plastic bags or bottles.
- (c) producers of bottle and or sachet water shall put in place sustainable mechanisms to control or avoid littering of the environment.
- (d) the water shall be water drawn from water tap and shall be colourless and free from contamination.
- (e) where sale is permitted at a place other than premises, the stall or kiosk shall be put at such place as is specifically allocated by the Assembly for the sale of iced water.

4. Inspection and Recommendation

The Municipal Environmental Health Officer or other officer acting on his behalf may inspect the place and the conditions under which production takes place at any time without notice.

5. Withdrawal of License

Upon recommendation of the Municipal Environmental Health Officer of the Assembly or authorized Officer the Assembly may prohibit a licensee from producing and/or selling bottle and or sachet water notwithstanding that the License is valid, and in such circumstances, the Assembly may withdraw the License or refuse the renewal of it and the licensee shall forfeit the fee paid for such License.

6. Water Produced Outside the Assembly

Any producer of bottle or sachet or bottled water in premises outside the area of authority of this Assembly who desires to sell the bottle or sachet or bottled water within the Municipal shall obtain a License from the Assembly, on demand produce the License duly issued by the Assembly and shall additionally pay a fee as if the bottle and sachet water was produced in the area of authority of this Assembly.

7. Obstruction of Officer

Any person who obstructs, bribes, or attempts to bribe or resists an officer of the Assembly acting in the course for his duties in the execution of These By-laws commits an offence

8. Special License

A special license may be issued to a seller licensed hereof for the sale of sachet or bottled water at dance halls, fairs, exhibitions, or other such place where some function or ceremony is being held for a short period and such license shall be in the form set out in the second schedule.

9. License to be displayed at place of sale

License shall be displayed at the place of production, and it shall be an offence not to display or produce such License for inspection by any authorized officer of the Assembly upon request at the time of inspection.

10. Penalty

Any person who contravenes any of the provisions of These By-laws shall be liable on summary conviction to a fine not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment

11. Interpretation

Water includes aerated water

SCHEDULE

(Section 1)

**UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY
LICENSE FOR PRODUCTION/SALE OF BOTTLE AND SACHET WATER**

LICENSE is hereby granted to of
.....

for the production/sale of Bottle and or Sachet Water at H/No.Street:-Area:-.....

This license is valid up to 31st day of December, 20

Name of Licensee's Agent or Assistant

Fee Paid GH¢..... Date of Issue:- of.....20.....

.....
Municipal Environmental Health Officer

.....
Municipal Coordinating Director

AK. Upper Denkyira East Municipal Assembly (Advertising) By-laws, 2023

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

1. Erection of Masts/Billboards

A person shall not erect a mast or a billboard, or affix anything to a billboard in any public place within the area of authority of this Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) without permit.

2. Erection of Signboard

A person shall not erect or affix anything to a signboard meant for notices or signs in any public place within the area of authority of this Assembly without a permit.

3. Appropriate Billboard/Signboard Permit

- (1) Every billboard or signboard shall be of appropriate aspects as to design, material and positioning.
- (2) The appropriateness of any design, material and positioning shall be as defined by the Assembly. An application for permit shall contain a sketch showing the sizes, heights and structural character of the advert.
- (3) The Assembly shall vet the application by considering among others the location, size and its propriety before issuing a license for the advert.

4. Duration of Permit

- (1) Every such permit shall be valid from the date of issue and shall expire on the 31st day of December of the year in which it is issued.
- (2) Such permit may be renewed for a period of six months or one year as the Assembly shall determine.

5. Fee

- (1) There shall be paid in respect of every permit such fee as specified in a Fee Fixing Resolution of the Assembly.
- (2) Where a particular billboard or signboard falls outside the billboards or signboards described in the Fee Fixing Resolution the Assembly may exercise discretion to fix a fee.

6. Positioning of billboards and signboards

- (1) A mast or billboard or signboard shall not cause any obstruction, nuisance or damage to motorists and road users or cause harm to the environment.
- (2) A billboard and signboard shall not be erected or positioned in median and pedestrian walkway.
- (3) A mast shall not occasion the disfigurement of the environment or the landscape

7. Allotted number

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

8. Offence

A person commits an offence who:

- a) erects or affixes or positions to anything any billboard or signboard without permit,
- b) uses inappropriate design and material in the making of billboards and signboards,
- c) causes damage to any property of the Assembly by reason of the erection or positioning of any billboard or signboard,
- d) erects or positions any billboard or signboard and thereby
 - (i) causes distraction, danger, or annoyance of persons or motor vehicles, or
 - (ii) harms any person or vehicle, or
 - (iii) prevents or hinders the free passage by any person or vehicle.
- e) places an advert on any electricity pole. An advert placed there shall be removed and the owner surcharged with the cost of removing the advert.

9. Prohibition

A notice carried in a billboard or signboard shall not:

- a) offend against any of the laws related to public morals, or
- b) occasion public nuisance

10. Political Parties

Billboards and signboards of political parties and charitable groups or in connection with festivals that involve traditional authorities are exempt from fee but the proprietors or their agents must obtain a permit to do so.

11. Specifications

The Assembly shall by a resolution define specifications for billboards and signboards as informed by the advertisement specifications for outdoor signs.

12. Dilapidated billboards and sign-boards

- (1) Bill-boards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.
- (2) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace or remove, the same the Assembly may on its own order its removal and thereafter impose a penalty on the defaulting owners.

13. Designated Locations

- (1) The Assembly reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.
- (2) To avoid a cluster of directional sign-boards in an area the Assembly may make provision for one general directional sign-board to accommodate the lot.
- (3) In such a situation the Assembly shall approve of a recognized individual or company with the requisite know-how after a public invitation to express interest to undertake the provision of the general reflector sign-board based upon a dimension approved by the Metro Roads in conjunction with the relevant Department of Assembly.
- (4) A prospective advertiser shall not choose a site for the erection of a bill or signboard unless it has been inspected and approved by the department of physical planning of the Assembly
- (5) The Assembly shall at a fee to be determined by the resolution of the Assembly provide spaces within the Municipal for posters.
- (6) A poster pasted at an unauthorized location shall attract a spot fine of 100 penalty units and the owner of the poster made to remove same failure of which shall attract criminal prosecution.

14. Erection of bill boards without authority

- (1) Where a bill or sign-board is erected without a license from the Assembly, the owner shall be levied as follows:-
 - a) The payment of the approved fees and a penalty of 50% of the fees payable shall be imposed on the owner thereof if, in the opinion of the Assembly the bill or sign-board is suitably located. The owner of such a sign shall regularize his application to the Assembly within seven (7) days of the owner being notified in writing.
 - b) The bill or sign-board shall be removed without notice if in the opinion of the Assembly it is wrongly located and surcharge the owner with the cost.

15. Enforcement and Monitoring

- (1) The Department of Physical Planning and the Ghana Police Service shall ensure the compliance and enforcement of the provisions of These By-laws.
- (2) For purposes of These By-laws, the enforcement team has power to remove any signboard or billboard wrongly located.

16. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

17. Interpretation

Within the meaning of these By-laws

- (i) "a bill, sign-board" or 'an advert' includes a banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity or a house or store or an open space painted for promoting a product and includes a poster;
- (ii) a "bill or sign-board" is dilapidated if the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces,
- (iii) For the purpose of These By-laws, a house or any open space painted with any product shall constitute an advertisement and the provisions of These By-laws shall apply to same.

AL. Upper Denkyira East Municipal Assembly (Child Protection) By-laws, 2023

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

1. Interpretation

For the purpose of these By-laws; 'Child' means a person below 18 years.

2. Enjoyment of rights

The rights of the child shall be ensured without any discrimination of any kind, irrespective of race, colour, gender, language, religion, ethnic or social origin, disability or other status.

3. Responsibility for child care

Parent(s) or legal guardian(s) have primary responsibility for the upbringing and development of the child whether or not parents of the child are married or the child is born out of wedlock or the parents of the child continue to live together or not.

4. Protection of Child

- (1) No child shall be subject to any form of physical or mental violence, injury or abuse or negligent treatment, maltreatment or exploitation including sexual abuse while in the care of parent(s) or legal guardian(s) or any other person who has the care of the child.
- (2) No child shall be subjected to traditional practices including severe tribal marks or any other practices which is prejudicial to the health of the child.
- (3) No child shall be subjected to any form of economic exploitation or performance of any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health (physical or mental) or to the child's spiritual, moral or social development.

5. Healthcare of children

Parent(s), legal guardian(s) or any other person who has the care of the child shall;

- (1) Provide the child with the appropriate medical care
- (2) Ensure the immunization of the child against all communicable diseases.

6. Maximum Educational Level

- (1) It shall be obligatory for parent(s) or legal guardian(s) or any other person who has the care of the child to ensure the education of the child up to the minimum level of Basic Education Certificate Examination (BECE) which shall develop the personality of the child.
- (2) The attainment of education up to the BECE level shall be compulsory for every child.

7. Restrictions to the child

- (1) No child shall be seen roaming in the streets or market areas during school hours
- (2) No child shall be seen roaming in the streets after 7:00 pm
- (3) No child shall trade in anything in any public place after 7.00pm;
- (4) No child shall enter any part of any premises or structure meant for the sale of alcoholic beverages without an adult accompanying him/her;
- (5) No child shall reside in or frequents a brothel or be exposed to moral hazards;
- (6) No child shall sell or offer for sale any obscene material;
- (7) No child shall buy, sell or deliver any tobacco or synthetic tobacco or alcoholic beverage;
- (8) No child shall participate in activities in the nature of gambling, or any activity that is in want of educational or recreational value and;
- (9) No child shall be found sleeping outside his home in the open and parent(s), legal guardian(s) or any person who has care of the child shall provide accommodation or shelter for the child.

8. Reporting Abuse

Any person who has information on child abuse or a child in need of basic education, care and protection shall report the matter to the Department of Social Welfare or the Assembly.

9. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

Where the court deems fit, a parent(s), legal guardian(s) both and shall be put under bond for the responsibility and protection of the child until attainment of adulthood of the child.

AM. Upper Denkyira East Municipal Assembly (Fishing Net and Fishing Methods) By-laws, 2023

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

1. Regulated Gears and Prohibited Fishing Methods

- (1) The fishing gears used in fishing notably encircling nets, beach seines, purse seines, set nets, drift gill nets and hook and line shall, if permitted to be used, be examined or evaluated from time to time by the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) for the preservation of the fishing industry and the protection of fish stock.
- (2) A person shall not fish in any river, stream, lake or lagoon that lies in the area of administration of the Assembly by the adoption of methods not specifically approved by the Assembly.
- (3) A person shall not use a seine net that is anchored to the bed of any river, stream, lake or lagoon.
- (4) A person shall not throw anything or use any method to stupefy the fish in any river, stream, lake or lagoon.
- (5) A person shall not direct or obstruct any part of the mouth of a river or stream running into a lake or other for the purpose of stupefying or taking any fish.
- (6) A person shall not use fishing gears that exploit juvenile fish or that is designed to operate in areas that are the grounds for fish species.
- (7) A person shall not within the area of authority of the Assembly take or destroy or attempt to take or destroy any fish by the use of dynamite, gelignite or any other explosive or noxious or poisonous substance to catch fish or other.

2. Registration

Any person who is engaged in artisanal fishing shall register with the Assembly and shall on the occasion declare or produce sample of the fishing gear he intends to use for approval or otherwise.

3. Prohibited Acts

- (1) It shall be an offence to use any of the following nets or methods when fishing:
 - a) A multifilament set-net the mesh size of which is less than fifty millimetres (50mm) in stretched diagonal length in marine waters;
 - b) A monofilament set-net in marine waters;
 - c) A fishing methods that aggregates fish by light attraction;
 - d) dynamites or any other explosive;
 - e) operates pair-trawling; or
 - f) catches, sells, buys, deals or lands at any landing site in the Municipal of fish the size of which is less than the prescribed length as provided under the schedule.
- (2) It shall be an offence for any person to import, export, sell, possess, keep or use any fishing net or gear, the mesh size of which is less than twenty-five millimetres (25mm) in stretched diagonal length.
- (3) It shall be an offence for any person to purchase or receive any fish which is less than the prescribed length as provided in section 3of These By-laws.
- (4) Any person who catches any gravid lobsters, or other crustaceans, juvenile fish as bycatches or incidental catches and who fails to release any of them immediately to their natural habitats shall commit an offence.

4. Confiscation of Fishing Gear

- (1) Any unapproved fishing gear or net shall be confiscated and in any way be disposed of by order of the Assembly.
- (2) The Assembly may assign any community-based fisheries association and fisheries stakeholders to perform the following acts:
 - a) monitoring of fishing operations
 - b) inspection of fishing gears
 - c) examination of landed fish and
 - d) other actions necessary to aid or ensure the enforcement of any of the provisions of These By-laws.

5. Penalty

Any person who without sufficient excuse contravenes any of these By-laws shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six months and not more than twelve months or both the fine and imprisonment.

6. Interpretation

For the purpose of these By-laws:

“Seine-net’ means any net having two wings joined to a bag at its centre and which for the purpose of taking fish is drawn through the water by means of ropes attached to the outer end of each wing.

‘Set net’ means any net that is used for the purpose of taking fish and is anchored to bed of the lake or river.

Schedule

Fish species	Minimum size	Fish species	Minimum size
Shrimp	1.5 cm	Threadfin	16cm
Spiny Lobster	12cm	Cassava fish	18cm
Red Pandora	14cm	Red mullet	14 cm
Canary dentex	22cm	Grouper	42cm
Blue spotted seabream	18cm	Barracudas	30cm
Cuttlefish	14cm	Roncador	14cm
Red snappers	16cm	Burro	18cm
Bumper	10cm	False mackerel	10cm
Round sardine	18cm	Flat sardine	18cm
Burrito	14cm	Chub mackerel	18cm
Scad mackerel	21cm	Anchovy	6cm
Bigeye tuna	55cm	Yellow fin	55cm

AN. Upper Denkyira East Municipal Assembly (Birth and Death Registration) By-laws, 2023

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

1. Report of Births and Deaths

- (1) The Births and Deaths Registry (hereinafter called “the Registry”) of the Upper Denkyira East Municipal Assembly (hereinafter referred to as ‘the Assembly’) shall receive notice of births and deaths occurring within the municipal and shall record such reports in books provided for the purpose (hereinafter referred to as “the Registration”).
- (2) The Registry shall operate under a Registrar with a supporting staff mandated to undertake such Registration.

2. Duties of the Registrar

The Registrar shall-

- a) keep two separate registers to record the details of births or deaths received at the Registry;
- b) receive reports in writing from the following persons:
 - (i) The mother, father or guardian of a child;
 - (ii) The surviving spouse of the deceased or the head or a principal member of the deceased’s family or in his absence by the person fending or taking charge of a dead body;
- c) subject to the directions of the Assembly, ensure safe keeping of the registers by placing them under lock and key;
- d) make the registers available at all reasonable times for inspection by an authorized member of the Assembly or the Environmental Health Officer or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
- e) submit returns in such a manner and at such times as the Principal Registrar of Births and Deaths shall direct; or
- f) otherwise conform to the requirements of this By- law.

3. Registration Assistants

- (1) The Assembly may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;
- (2) Registration Assistants shall perform the same duties as the Registrar but shall report to the Registrar;
- (3) Registration Assistants shall send to the Registrar certified extracts of all entries in their registers which were made in/for the previous month.

4. Fees

A person making the report of birth or death shall pay the necessary fee fixed by resolution of the Assembly.

5. Custody of Registers

The Registrar shall keep registers in the forms provided for the registration of births, deaths and burials respectively under the existing law.

6. Issuance of Birth or Death Certificate

The Registrar and the Registration Assistants shall upon registering any birth or death delivered to the reporter and upon payment of the approved fee, issue a certificate in accordance with the existing law and or regulations.

7. Power of the Assembly

- (1) All burials can only take place with a valid burial permit issued by the Registry with the approval of the Environmental Health and Sanitation Department/ Unit of the Assembly.
- (2) Where burial takes place without approval from the Head of the Environmental Health and Sanitation Department, the Assembly and the Registry may cause the exhumation of the dead body for autopsy at the cost of the family, if the cause of death is not established by a qualified medical officer.

8. Time for Registration

- (1) A person who has to make a report under These By-laws shall do so within:
 - a) fourteen days, in respect of death; and
 - b) three months, in respect of birth.
- (2) Where a person fails to make a report within the time frame as stated supra, a late report shall attract a penalty determined by a resolution of the Assembly.

9. Inspection of Register at a fee

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

10. Copies as evidence

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

11. Correction of register

- (1) A clerical error in a register may if discovered at the time of making the entry, be corrected. An alteration detected after the entry in the register shall only be altered on the application of the party supplying the information to the Registrar.
- (2) No erasure shall be made in any register or certified copy or extract thereof; any such erasure shall render same void.
- (3) Without prejudice to the above paragraph, any correction made shall be in respect of the register and not the certified copy. The person effecting the correction shall draw a line of red ink through the word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.
- (4) Where it is desired to change the name of a child whose birth and name have been registered, or recorded but the certified copy has not been issued, the Registrar, may, upon written application by child's parent or guardian made before the issuance of the certified true copy, correct the register accordingly. Where the certified copy has been issued, no change can take place except to do change of name in accordance with the law.

12. Penalty

A person who willfully registers or permits registration of a false statement, or who willfully destroys or permits the destruction of an entry in a register or carries out burial without burial permit approved by the Environmental Health and Sanitation Department of the Assembly, commits an offence and shall upon conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or in default to a term of imprisonment not exceeding three months or to both.

AO. Upper Denkyira East Municipal Assembly (Chainsaw Operators and Operations) By-laws, 2023

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

1. License

- (1) A person shall not operate a chain-saw within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) without first having obtained from the Assembly a License for that purpose and paid a fee required under These By-laws.
- (2) A License issued for the purpose of use and operation of a chain-saw shall expire on the 31st day of December of the year in which it was issued.

2. Application

- (1) A person shall on the acquisition of a chainsaw apply to the Assembly for its registration.
- (2) An applicant who is seeking permit for a chainsaw shall complete a Form A specified in the schedule accompanied with two passport size photographs

3. Inspection

On receipt of the application the Assembly shall authorize officials to inspect the chainsaw and if satisfied, register the chainsaw and allocate to it a number

4. Registration with forestry office

The owner of the chainsaw registered by the Assembly shall also register with the Forestry Office and furnish it with the number allocated to the chainsaw

5. Prohibitions

A person or chain-saw operator shall not:

- a) without lawful authority enter into any forest or prohibited area to fell trees or do any similar acts;
- b) cut down or fell economic tree or trees without License from the Assembly;
- c) cut down or fell any tree in the forest reserve or other reserved areas;
- d) operate as a charcoal operator without a License for the purpose;
- e) cause any nuisance, be it private or public;
- f) cause any person to enter into any forest or prohibited area within the municipal to fell down any tree without the lawful authority of the Assembly;
- g) disturb the level and nature of the environmental quality;
- h) disturb the sustainable socio-economic development of the municipal; or
- i) injure the eco-system in any way or means;

6. Mark to be written

Where a person uses a chainsaw to fell a tree, he shall indicate on the stumps as well as on the timber the number allocated to that person by the Assembly / Forestry Service.

7. Unregistered chainsaw

A landowner shall not permit an unregistered chainsaw operator to fell a tree on a land or permit the sawing of a timber on a land.

8. Offence

A person who lets out, hires, lends or borrows a License or who not being a holder of valid License produces, exhibits, or uses a chain-saw machine or aids or abets the usage of a chain-saw machine and without an appropriate License or operates a chain-saw and fails to produce a License upon demand by any Police Officer or any authorized officer of the Assembly or other for inspection commits the offence.

9. Penalty

Any person who contravenes these By-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment. On a second or subsequent summary conviction for an offence under These By-laws, the Court may impose a penalty which is higher than the previous penalty.

AP. Upper Denkyira East Municipal Assembly (Control of Rates and Rate Collectors) By-laws, 2023

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

1. Imposition of Rates

- (1) No person or group of persons other than the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall have power to make or levy any general rate within the area of authority of the Assembly.
- (2) The Assembly shall have power to levy special rate as, in its opinion, may be deemed necessary so to do.
- (3) A general or special rate payable to the Assembly shall be of such amount as may be fixed by a resolution of the Assembly

2. Rate Collectors

- (1) The Assembly may in writing, authorize a suitable person in respect of any specified area within its authority (hereinafter referred to as “Rate Collector”) to collect rates.
- (2) Without prejudice to sub-paragraph (1) of these By-laws, 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 rates so specified subject to conditions as the Assembly shall endorse on the notice.
- (3) No person other than the authorized rate collector or agent of the Assembly shall collect rates levied by the Assembly.

3. Duties of Rate Collectors

It shall be the duty of every rate collector or agent:

- a) to furnish in writing to the Assembly a nominal roll of all rateable persons in respect of which the rate collector or agent has been authorized to collect rates.
- b) to collect and receive from each person liable for the payment of rates in the area, the rates payable by each person.
- c) to issue appropriate or approved receipts to any person who shall pay his rate to the Assembly.
- d) to report to the Assembly, the name of any person who fails or refuse to pay the amount or rates due from him.
- e) to promptly submit or present any valued books in his possession to the auditor or any authorized officer of the assembly on demand, for auditing purposes.
- f) to deposit with the assembly, any sums of money that shall be duly collected from the rate payers, within the period that shall be specified in the terms and conditions agreed upon between the Assembly and such rate collectors or agents
- g) No rate collector or agent shall demand from any person or rate payer, an amount in excess of the duly assessed or approved rate.
- h) No rate collector or agent shall render to the assembly any false returns on the rate collected.

4. Rateable persons

- (1) A general rate or any special rate imposed shall be payable by all persons of or above the age of eighteen (18) years who reside within the area of authority of the Assembly or by owners of movable and immovable property in the municipal.
- (2) Notwithstanding the provision of sub-paragraph (1) of These By-laws, any persons who are for the time being in attendance at an educational institute and for the time being are identified by the Assembly as pro-poor may be exempted.
- (3) No owner of a rateable property shall without any lawful justification or excuse, wilfully refuse or fail or neglect to pay all rates payable by him under these By-laws.
- (4) No person(s) shall under any circumstance, make a false statement with regard to his liability to pay rates
- (5) The Assembly may reduce or remit payment of any rate payable by a rate payer when it deems it necessary.

5. Special rates levied by communities etc.

- (1) No community or Urban/Town/Area Council shall levy any special levy except with the prior consent and written approval of the Assembly.
- (2) The Assembly may grant permission to any community or Urban/Town/Area Council to levy special rates subject to conditions as the Assembly may deem necessary including:
 - a) Amount payable by each person;
 - b) Type of project to be undertaken;
 - c) Estimated cost of such project.

6. Payment of rate

- (1) It shall be the duty of every person liable for payment of any rate to pay the amount thereof to a Rate Collector or other person or persons duly appointed or authorized by the Assembly to collect such rates at the time and place specified by the Assembly, when publication of a notice in respect of such rate is made.
- (2) Notwithstanding sub-paragraph (1) of These By-laws any Rate Collector or any person authorized by the Assembly may at all reasonable times enter any premises for the performance of his duties.

7. Property Rate

- (1) Without prejudice to the provisions of these By-laws 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.
- (2) If the amount of general or special rate due in respect of any property is not paid within a period of forty-two (42) days after notice has been given, the Assembly shall apply to the Municipal Magistrate for an order for sale of the property.
- (3) Any property ordered to be sold to defray the amount of the rate due shall be referred for sale under the direction of the authority of the court.

8. Deduction of rate by employer

- (1) After the publication of notice of payment of rates by the Assembly, an employer, shall deduct any such general or special rate imposed by the Assembly from the remuneration of the employee employed by him who resides or owns immovable property in the area of authority of the Assembly.
- (2) The deductions shall be made in such installations as may, from time to time, be determined by the Assembly.

9. Receipts for rates paid

- (1) On payment of any rates 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 evidence of the payment of rates for a specific period.
- (2) The holder of any receipt for rates paid shall produce same at any time on demand for inspection by a rate collector or any other authorized servant, agent, or officer of the Assembly.

10. Issue of Demand Notices

A Rate Collector, whenever may deem very necessary, shall issue out a demand Notice to a person who shall without any justification or reasonable excuse, default in payment of any rate payable by such a person.

11. Ceded Revenue Items

The Municipal Assembly may, under these By-laws cede to the Town, Area Councils or any authorized rate collector or Agent, any revenue items as the Assembly shall deem necessary.

12. Obstruction

No person shall molest or obstruct any Rate Collector or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

13. Penalty

- (1) Any person who, without lawful justification or excuse, the proof of which shall be on him refuses or wilfully neglects to pay any rate payable by him or obstructs any person appointed to perform any duties under these By-laws on or after the date on which it is payable shall be guilty of an offence and liable on conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment not exceeding three (3) months or both the fine and imprisonment.
- (2) Any person who makes false statement with regard to his liability to pay rates shall be guilty of an offence and liable on conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (3) Any person who without lawful justification or excuse, incites any person to refuse to pay any rate payable by him under these By-laws or who incites or assists any person to make false statement with regard to his liability to pay rates shall be guilty of an offence and liable on conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.
- (4) Any Rate Collector or agent who
 - a) fails to deposit with the Assembly any sum of money collected by him as rates;
 - b) wilfully demands from any person an amount in excess of the duly assessed or approved rates;
 - c) renders false returns whether orally or in writing: or
 - d) wilfully embezzles or fails to account for any rate collected on behalf of the Assembly
 - e) wilfully fails to carry out any duty imposed upon him as Rate Collector or an agent by paragraph (3) of these By-laws, shall be guilty of an offence and liable on 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 a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

In addition to the fine or imprisonment term, such convicted rate collector or agent shall by court's order refund to the Assembly, the amount so embezzled or not accounted for.

14. Interpretation

In these By-laws unless the context otherwise requires: -

“General rate” means rates fixed by the Assembly for general purposes of the whole municipal.

“Special rate” means a rate made and levied over a specific area within the area of authority of the Assembly for the purpose of undertaking a specific project by the Assembly for that area.

AQ. Upper Denkyira East Municipal Assembly (Communicable/Infectious Disease) By-laws, 2023

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

1. Cleansing and disinfecting premises and articles

Where the Assembly is satisfied upon the certification of a Registered Medical Officer or any legally qualified public health professional or Environmental Health Officer that the cleansing and disinfection of any premises or destruction of some articles would tend to prevent or check any dangerous or infectious disease, the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly') may by 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 within the time specified in the Notice that he will take such measures as are specified therein to the satisfaction of the Assembly.

2. Notification of infectious diseases

- (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 and the articles disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the notice was served.
- (2) Where the evidence exists that, the person on whom the notice is served is unable to foot the cost of the exercise, the person shall inform the Assembly to enable the Assembly undertake the exercise.
- (3) The Assembly may serve notice in writing on the owner of any bedding, clothing or other article which has been exposed to infection by any dangerous or infectious disease, requiring the delivering of the articles to an officer of the Health Department of the Assembly, within twenty-four hours for removal for disinfection or destruction as the case may be.
- (4) Where the owner fails to comply with this provision, the Health Officer shall with the help of the security agencies ensure the removal of the items for disinfection or destruction as the case may be.
- (5) Without prejudice to the above provisions, any person who fails to comply with any of the requirements of any notice served on him within the time specified in such notice shall be guilty of an offence.
- (6) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Environmental Health and Sanitation Department of the Assembly. In the absence of a head of the family, the nearest relatives or an adult inmate of the house in which the patient present in the building and in the absence of such relatives, any person in charge of or attending to the patient at his residence and in default of any such person, the occupier of the building or structure shall be responsible for sending such notice.
- (7) Any person who fails to send the requisite notice shall be guilty of an offence under These By-laws, unless he satisfies the court that he is required to send the notice only in the absence of some other person and that he believed and had reasonable grounds for believing that the notice has been duly sent.
- (8) 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/ Environmental Health and Sanitation Department certified information stating the name of the patient, the nature of his illness and his address.
- (9) Any Medical Practitioner who fails to send certified information as required by These By-laws commits an offence.

3. Prohibition on occupation involving risk of infection

- (1) A person who knows that he is suffering from a dangerous or infectious disease shall not engage in or carry on any trade, business or occupation in connection with food.
- (2) A person shall be guilty of an offence under These By-laws –
 - a) if knowing that he is suffering from a dangerous or infectious disease, he exposes other persons to the risk of infections by using any public transport or by his presence or conduct in any street or footpath, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises; or
 - b) if having the care of a person whom he knows to be so suffering, causes or permits that person to expose other persons to the risk of infection; or
 - c) if he gives land, sells, transmits or exposes without prior 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.

4. Restriction on deposit of infected rubbish

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, any matter which he knows to have been exposed to infection from a dangerous or infectious disease and which has not been disinfected.

5. Restriction on laundry facilities for infected articles

No person shall send or deliver to any laundry or public wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been exposed to infection from a disease, unless such articles or things have been disinfected by, or to the satisfaction of, the Environmental Health and Sanitation Department of the Assembly.

6. Restriction on letting out infected premises

(1) No person shall let or offer to let any house, room or other premises to another person, where he knows that a person residing therein 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 Environmental Health and Sanitation Department of the Assembly or a qualified medical or public health practitioner.

(2) If the occupier of a house ceases to occupy that house in which to his knowledge a person has within six weeks previously, been suffering from an infectious disease and fails to have it and all articles therein liable to:

- a) Retain infection disinfected to the satisfaction of the Environmental Health and Sanitation Department or a qualified Medical Practitioner; or if he
- b) Fails to give to the owner of the house notice of previous existence of such disease, commits an offence under These By-laws.

7. Monitoring and enforcement

The Environmental Health Unit and its allied departments shall ensure the compliance of These By-laws.

8. Penalty

A person who contravenes any provision of These By-laws commits an offence and is liable on summary conviction to a fine, not less than one hundred (100) penalty units and not more than two hundred (200) penalty unit or a term of imprisonment of not less than one month and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues.

AR. Upper Denkyira East Municipal Assembly (Tourism, Cultural and Natural Heritage Conservation) By-laws, 2023

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

1. General Responsibility of the Assembly

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) has a primary responsibility as trustee to ensure the conservation of the human-made, natural and cultural heritage of the municipal for the current and future generations.
- (2) The Assembly shall take necessary steps to:
 - a) document tourism sites, tourist attractions, historic monuments, cultural landscapes, sacred sites, festive events, rites and beliefs, music and song, traditional medicine, literature and culinary traditions;
 - b) map out areas to be designated natural environment for preservation and protection;
 - c) remove antiquities from any land whether it owns it or not; and
 - d) ensure participatory co-management that involves the traditional authorities fully in decision making.
- (3) Assembly shall be accountable to the relevant central government agencies where it is required by any existing law.
- (4) The Assembly shall take measures to create public awareness about tangible and intangible culture and ensure that the people within the Assembly are educated about the relevance of protection, maintenance and conservation of the various cultural practices in the municipal.
- (5) The Assembly has power to:
 - a) deliberate and implement policies on tourism in the municipal within the framework of national policy and guidelines;
 - b) promote and develop tourism in the municipal;
 - c) collect and disseminate statistical data and other information on tourism;
 - d) identify, undertake study and document tourism sites in the municipal;
 - e) encourage private sector participation in the development of tourism in the municipal; and
 - f) facilitate the establishment and maintenance of facilities or centres of excellence for the arts and crafts for recreation and posterity.

2. Public Duty

It shall be the duty of any person in the municipal to do the following acts or things:

- a) to promote and protect the cultural heritage of the municipal;
- b) to promote and protect the natural heritage of the municipal;
- c) to contribute to the documentation of the cultural and natural heritage;
- d) to contribute to the formulation of necessary regulatory measures in protection and preservation of the cultural and natural heritage; and
- e) to request, where necessary or reasonable, the Assembly to protect, conserve or rehabilitate any part of the cultural or natural heritage within its area of authority.
- f) to promote and support tourism;
- g) to promote and protect environmental quality essential to tourism;
- h) to protect the environment against adverse activities of tourism; and
- i) to participate in the processes leading to the formulation of regulatory measures in protection of the environment against the acts or omissions of tourism.

3. Offences

A person commits an offence if that person:

- a) causes any deterioration or disappearance of natural sites and other tangible aspects of cultural heritage; or
- b) acts or omits to act and same threaten any item of cultural heritage with destruction; or
- c) uses or ownership of land causes the deterioration or disappearance of tangible cultural items; or
- d) without the approval of the Assembly carries out any activity likely to disturb property which forms part of the cultural heritage or the aesthetics or characteristics of unique landscape; or
- e) carries out any industrial, commercial, economic or physical developmental activities that cause or threaten to damage any heritage; or
- f) imports, exports, transfers ownership of cultural property deemed as such by the Assembly and/or the community; or
- g) produces the situation in which water, land, air is polluted to damage any natural heritage.

4. Public Morals Offences

Any tourism entity commits an offence who:

- a) keeps or turns the entity, in part or in whole, into a brothel;
- b) knowingly permits the entity or any part of it to be used as a brothel;
- c) the purpose of prostitution; or
- d) disposes sewage into water, the soil or water bodies.

5. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

6. Interpretation

In These By-laws unless the context otherwise requires:

“**Person**” means body corporate, chairperson, preside body corporate, or the managing director, or general manager or chief executive or secretary or finance officer or treasurer or other officer of similar standing.

AS. Upper Denkyira East Municipal Assembly (Control of Municipal Guard) By-laws, 2023

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

1. Establishment of Unit

There shall be established within the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) a body known as the Municipal Guards Unit which shall operate under the body designated by the Assembly.

2. Head of Municipal Guard Unit

The Unit shall be directly under an officer appointed by the Assembly who shall be responsible to the Justice and Security Sub-Committee of the Assembly.

3. Divisions of the Municipal Guard Unit

The Unit shall be divided into such number of divisions as the Assembly may from time to time specify.

4. Duties of the Head of Municipal Guard Unit

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

5. Qualification

- (1) A person shall not be recruited into the Unit without the minimum qualification of Basic Education Certificate or its equivalent.
- (2) Every recruit shall before appointment undergo compulsory basic training as may be prescribed by the Assembly.

6. Powers of Arrest

- (1) Every Municipal guard shall have power to arrest anyone who contravenes the Assembly’s By-laws and other related enactments, in addition to the usual powers of arrest conferred on any member of the public.
- (2) Whenever an arrest is made by a Municipal guard under the powers conferred on him or as a member of the public, it shall be the duty of the guard to send the suspect to the nearest police station as soon as practicable.

7. Duties of the Municipal Guard

The Municipal Guards shall:

- a) assist members of the Ghana Police Service to maintain law and order in public places;
- b) regulate traffic and assist at zebra crossings;
- c) assist in the enforcement of the Assembly’s By-laws;
- d) carry out any other duties as the Assembly may from time to time specify; and
- e) sustain the objectives of any decongestion exercise.

8. Misconduct

- (1) Any act done without reasonable excuse by a Municipal guard which amounts to a failure to perform in a proper manner any duty imposed on him as such, or which is otherwise prejudicial to the efficient conduct of the Unit or tends to bring the Unit or the Assembly into disrepute shall constitute misconduct.
- (2) It shall be misconduct for any Municipal guard to do the following:
 - a) be absent from duty without leave or reasonable excuse;
 - b) be insubordinate;
 - c) sleep on duty;
 - d) drink any alcoholic beverage or smoke cigarette or any narcotic substance while on duty;
 - e) use without lawful authority for some purpose not connected with his or official duties, any property or facilities provided for the purposes of the Unit;
 - f) abuse the fundamental rights of others; and
 - g) receive or demand bribes.

9. Surrender of Uniforms and Other Accoutrements

Every guard shall on ceasing to hold and exercise his office forthwith deliver to the Head of the Unit all the clothing and other property supplied to him free of charge and failure to do so shall constitute an offence.

10. Clothing and Accoutrements of Municipal Guards

A Municipal guard who fails to deliver to the Head of the Municipal Guard Unit or any other designated officer the clothing or accoutrements with him upon dismissal or resignation or any other means by which he ends his work with the Assembly commits an offence and shall be liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

11. Penalty

Any person who obstructs, bribes, interferes with or misleads a Municipal guard in the discharge of his duties commits an offence and shall be liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

AT. Upper Denkyira East Municipal Assembly (Control of Dogs) By-laws, 2023

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

License

- (1) A person who keeps a dog within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall obtain a license from the Assembly in respect of the dog.
- (2) An inoculation certificate obtained in accordance with paragraph (5) of these By-laws is enough proof that a dog has been duly Licensed.
- (3) A person who has a dog license in force shall produce it within twenty-four (24) hours on request by a Health officer of the Assembly in that behalf.
- (4) A dog license shall be valid for a period of one year from the date of issue.

1. Fees

The fee for a dog license shall be determined in accordance with the fee-fixing resolution of the Assembly for issue of license and renewal in respect of each dog.

2. Dog Badges

- (1) A person to whom a dog license is issued shall, while the license remains in force keep on the dog a metal or plastic badge supplied by the Assembly in respect of that dog.
- (2) Any such person shall on expiry of the license, the owner of a dog shall surrender to the Assembly the said badge if so required.

3. Seizure/ impounding of dogs

- (1) An officer of the Assembly, duly authorized or a Police Officer may seize and detain any dog which is not wearing a badge and/or appears to be a stray dog found in a public place or any premises and not under the control of any person.
- (2) Where the owner of the dog is known, the officer shall cause a notice of seizure to be served on him as soon as practicable.
- (3) A dog seized and detained under these By-laws shall be released to its owner if he produces a valid license in respect of the dog and pays the approved detention fee in accordance with the fee fixing resolution
- (4) Where a dog is detained under this paragraph for more than fourteen (14) days and its owner cannot be found or where notice of the detention to the owner is served and he does not claim the dog within fourteen (14) days after such notice is served on him or fails to pay impounded fee, the Health Officer of the Assembly may cause the dog to be disposed of in accordance with the law.
- (5) A police officer or Health officer of the Assembly authorized in that behalf may seize and dispose of any dog which is suffering from mange, rabies or other disease within the meaning of the Disease of Animals Act 1961 (Act 83).
- (6) The Police Officer or the said Health Officer of the Assembly shall forthwith give notice of the seizure of the diseased dog to the owner of the dog, if known, and also to the nearest Veterinary Authority.

4. Keeper of dogs

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

5. Attack of Dog on Livestock

The owner or keeper of a dog shall control his animal to ensure that it causes no damage by killing or injuring livestock in the municipal but it shall be a defence that the livestock was killed or injured on land to which the livestock had strayed and the dog and the land belonged to the owner or occupier of the land.

6. Inoculation of dogs

A person who keeps a dog shall have it inoculated once every year against rabies and obtain a certificate to that effect in respect of the dog.

7. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws

8. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one (100) hundred penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not exceeding three (3) months or both the fine and imprisonment.

AU. Upper Denkyira East Municipal Assembly (Protection of Forest Wildlife, Forest Resources and Environmental sustainability) By-laws, 2023

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

1. Authority of the Assembly in Protecting Wildlife, Forest resources and Environmental sustainability

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall in alliance with existing national agencies and institutions be responsible for the sustainable development, management, protection and preservation of wildlife Forest resources and Environmental sustainability
- (2) The Assembly shall at all material times exercise its responsibilities as a trustee in ways not inconsistent with the national laws or international conventions.
- (3) In the discharge of its responsibilities, the Assembly may exercise a power to appoint, permit, authorize or invite traditional authorities, individuals, groups of persons or organizations to assist in the formulation of appropriate policies and programmes; and in the implementation of the policies and programmes.

2. Responsibilities of the Assembly in Protecting Wildlife, Forest resources and Environmental sustainability

The responsibility of the Assembly shall include, but not limited to, the following:

- a) Planning for the protection and development of wildlife resources in a sustainable manner;
- b) Monitoring the condition of the municipal’s wildlife resources;
- c) Making recommendations to the appropriate Minister through the Regional Coordinating Council on the grant of timber rights and wildlife Licenses;
- d) Sound management of wildlife protection;
- e) Relevant wildlife education, information and awareness of their benefits;
- f) Creation of nature and wilderness reserves, where practicable; and
- g) Soil protection.
- h) facilitate the creation of awareness that forests are essential for the maintenance of all forms of life and function in an economic capacity;
- i) encourage investment in commercial timber;
- j) facilitate the establishment and maintenance of tree nurseries and forest plantations for sale;
- k) promote and support the establishment of private nurseries, woodlots, fodder poles and timber;
- l) facilitate replanting or re-forestation of degraded land and water courses, and
- m) advise on measures to prevent soil erosion.

3. Public Duty

It shall be the duty of every person in the area of authority of the Assembly to do the following acts or things

- a) to promote the protection of wildlife and habitats;
- b) to uphold the environmental By-laws;
- c) to respect the rights of wildlife and habitats;
- d) to co-operate with another or others to sustain wildlife and habitats; or
- e) to participate in the processes leading to the formulation of regulatory measures to protect wildlife and habitats.
- f) to promote safeguard and protect forestry resources and protected areas;
- g) to uphold the environmental laws;
- h) to protect the rights of forestry resources and protected areas;
- i) to co-operate with another or others to sustain forestry resources and protected areas; and
- j) to participate in the processes leading to the formulation of regulatory measures to protect the forestry resources and protected areas.

4. Control Mechanisms

The Assembly may

- a) impose pollution and nuisance controls as preventive measures;
- b) carry out, or require to be carried out any mitigation measures;
- c) impose any special terms, conditions or constraints as and when it deems just to do;
- d) facilitate necessary community participation and public hearings.

5. Offence

- (1) Any person, natural or artificial, who wantonly or unlawfully or unreasonably does any of the following acts or things commits an offence:
 - a) pollutes the air, soil and water of wildlife habitat by any means;
 - b) engages in noise pollution to infuriate, upset or annoy any wildlife;
 - c) takes; or carries; or transports; or controls; or makes claims to ownership; or kills; or harms; or sells or offers for sale any wildlife;
 - d) breaches any taboos or traditional norms meant to protect and preserve forest wildlife.
 - e) acts without authority in matters related to forestry resources and protected areas;
 - f) in any way obstructs the Assembly in the discharge of its responsibilities as contained in section 2 of These By-laws;
 - g) interferes with the National Resources Department of the Assembly in the proper discharge of its functions;
 - h) acts as to cause deforestation or degradation of forest, soil or land;
 - i) injures soil and plant life in any area mapped out for preservation and protection;
 - j) assigns to any person any forest land or portion
 - k) declares a reserved forest area to be no longer reserved;
 - l) uses any reserved forest land for non-forest purposes;
 - m) unlawfully or maliciously destroys nursery seeds;
 - n) removes trees from any forest reserve without authority;
 - o) occupies a forest reserve;
 - p) interferes with areas mapped out for natural environment, preservation and protection;
 - q) acts as to adversely affect the sustainable development of timber-producing forests;
 - r) enters upon a forest reserved area with or without chain saw or other instruments; and
 - s) in any other way disturbs the ecological balance of forests.
- (2) It shall be no defence that the conduct complained of caused no loss, damage or injury, or that the person left the area after having been asked to do so, or that the person did not threaten the environment.

6. Permit

Any person who desires to do any of the following things shall first obtain a permit from the Assembly:

- a) invest in commercial timber plantation;
- b) establish and maintain tree nurseries;
- c) establish and maintain forest plantation;
- d) engage in replanting or reforestation of degraded land; and
- e) invest in industrial timber, reforestation and forest management activities.

7. Penalty

A person who fails to obtain a permit under paragraph 6 shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

8. Sanctions

The sanctions and penalties in respect of breach of any of the By-laws shall vary by reference to the gravity of the offence or default but may include one or more of the following: -

- a) Sanctions recommended by the traditional authority approved by the Assembly.
- b) Sanctions recommended by the Natural Resources and the Conservation Department of the Assembly.
- c) Sanctions by way of resolutions of the Assembly.
- d) Punishment in consequence of prosecutions by private or public prosecutor or other before a Court of competent jurisdiction shall include one or more of the following:
 - (i) injunctive order;
 - (ii) indemnities or compensatory damages;
 - (iii) restitution order where the situation can be restored to its pre-injury state; and
 - (iv) any other relief that may be deemed just.

AV. Upper Denkyira East Municipal Assembly (Control of Handcarts) By-laws, 2022

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

1. License

- (1) The owner or any person in possession of any vehicle having four wheels or two wheels not propelled by mechanical power in use for the carriage of goods within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall be required to take a license for every such vehicle.
- (2) There shall be payable for such license a fee fixed by resolution of the Assembly.
- (3) The License referred to in These By-laws shall be yearly or half-yearly Licenses and every such License shall terminate on 30th June or 31st December following, as the case may be.

2. Number plate

Every handcart for which a license is issued shall have affixed thereon the number plate assigned it by the Assembly. The owner or person in charge of such vehicle who fails to affix or keep such number plate shall be guilty of an offence.

3. Condition of Vehicle

No license shall be issued under These By-laws in respect of the vehicle which in the opinion of the Assembly is in such a condition as to endanger person or property.

4. Prohibition of Minors

No person below the age of 18 years shall drive or push any such vehicle.

5. Regulations for users of Handcarts

- (1) No user of such vehicle (whether child or adult) shall sit on such vehicle while they are in motion.
- (2) The users of such vehicles shall observe the normal rules of the road, shall keep close to the right-hand side of the road and it shall be an offence if they fail to do so.
- (3) A truck licensed under These By-laws shall not obstruct and endanger road users.

6. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

SCHEDULE

(Section 2)

UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY VEHICLE LICENSE (Yearly / Half-yearly) HAND-CART / TRUCK / WAGON

LICENSE is hereby granted to..... to keep and use a Hand-cart/Truck/Wagon until the day of 20.....

Fee Paid GH¢..... Dated this.....day of 20.....

.....
Municipal Coordinating Director

AW. Upper Denkyira East Municipal Assembly (Herbalist) By-laws, 2023

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

1. License

A person shall not practice as a herbalist within the Upper Denkyira East Municipal Assembly (hereinafter referred to as the 'Assembly') area of authority unless he

- a) first registers with Ghana Psychic and Traditional Healers' Association; and
- b) obtains a License from the Assembly after site suitability inspection has been conducted by the Environmental Health Officer recommending for such approval

2. Duration and Fee

- (1) A License issued under these By-laws which shall be valid for a period of one year from the date of issue and a fee determined in accordance with the fee-fixing resolution of the Assembly
- (2) A Herbalist license shall be in forms as set out in the schedule to these By-laws.

3. Endorsement of application

Application for License for a herbalist practising within the area of the Assembly shall be endorsed by the Chairman or Secretary of the Local Traditional Healers Association.

4. Sanitary Conditions of Herbalist Premises

A herbalist shall-

- a) keep his premises and surroundings clean; and
- b) remove all filth from the premises from time to time and as often as may be necessary to maintain the premises in a state of cleanliness; and
- c) keep his stock under hygienic conditions; and
- d) take all reasonable precaution in case of infectious and contagious disease; and
- e) refer cases beyond his competence to a hospital within a reasonable dispatching time.
- f) undergo Health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year.

5. Offence

Any herbalist whether by himself or his agent or servant commits an offence who:

- (1) claims to be able to cure patients come what may and thereby obtains the consent of one to part with money or other;
- (2) uses obscene language in the sale of his products;
- (3) sells or offers for sale or attempts to sell or offer for sale anything which he knows or has reason to believe to be defective or ineffective;
- (4) treats a person who cannot understand the nature, purpose and implications of the treatment;
- (5) claims to be duly registered as a herbalist when he is not;
- (6) exploits the religious beliefs or fears of the public;
- (7) proclaims a supernatural power as the instructor of the ingredients of what is for sale; and
- (8) administers any harmful or unwholesome substance to a person.

6. Inspection of Herbalist premises

A Health Officer of the Assembly shall enter and inspect the sanitary conditions of a herbalist's premises and may request him to produce his license for inspection.

7. Revocation of License

The Assembly may revoke a herbalist's license-

- (a) Where he has been convicted on two occasions of an offence involving dishonesty or misconduct as a herbalist; or
- (b) Where he repeatedly fails to maintain good sanitary conditions in his premises.

8. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or undermine any Health officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws

9. Penalty

- (1) Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) For continued offence after a written notice has been served on the offender, a further penalty of one (1) penalty unit for each day the offence continues shall be imposed.

10. Interpretation

In these By-laws unless the context otherwise requires: -

“Herbalist” means a person who holds himself out as practicing therapeutics

“Herbalist” shall include Fetish priest and Fetish priestess who administer herbal or healing treatments.

SCHEDULE

License No.....

The Upper Denkyira East Municipal Assembly (Herbalists) By-laws, 2023 (paragraphs 1 and 2)

License is hereby issued to.....

of.....

Herbalist within the area of administration of the UDEMA for the period

Fee paid

.....
MUNICIPAL DIRECTOR OF HEALTH SERVICE

AX. Upper Denkyira East Municipal Assembly (Containers/Kiosk-keepers) By-laws, 2023

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

1. Permit

- (1) No person shall construct or keep a container or kiosk within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter called “the Assembly”) for the purpose of carrying on any business without first applying to the Assembly for a permit to do so.
- (2) On the commencement of these By-laws if any container/kiosk is being or has been erected in contravention of sub-paragraph (1) of These By-laws, the occupier thereof shall apply to the Assembly for a permit to keep such container/kiosk provided that such container/kiosk is not being or has not been erected in a prohibited area.
- (3) Where any container/kiosk is being or has been erected in a prohibited area such as on a public drain or on a sanitary site etc. the Assembly may give notice in writing to the owner or the occupier of such container/kiosk requiring him to remove such unauthorised container/kiosk within seven (7) days from the date of the notice.

2. Validity period/Fee

- (1) Permit for keeping a container/kiosk within the area of authority of the Assembly is renewable from year to year save that the Assembly reserves the right to revoke the permit as and when it deems fit.
- (2) A fee of an amount fixed by a resolution of the Assembly shall be paid as a renewal fee before any person shall be permitted to keep container/kiosk, in the area of authority of the Assembly for the sale of anything to the public.

3. Site Plan to be attached to application

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 together with three drawing plans of the proposed structure.

4. Prohibitions

- (1) A kiosk shall not be constructed on sandcrete blocks;
- (2) A person shall not use a kiosk as a dwelling house;
- (3) A person shall not place a kiosk on a public footway;
- (4) A kiosk shall not exceed twelve square metres in size;
- (5) A kiosk shall not be a disfigurement or nuisance to the neighbourhood; and
- (6) A person shall not use inflammable materials in the construction of kiosks.
- (7) A person shall not move a kiosk for which a permit has been granted to another location without the consent of the Assembly.

5. Certificate

For the avoidance of doubt any kiosk shall carry a certificate as having been constructed in accordance with requirements of By-laws made.

6. Display of official number

Every container/kiosk keeper shall display the official number allocated to his container/kiosk by the Assembly in a conspicuous place on the container/kiosk.

7. Removal of unauthorised containers/kiosk

- (1) Notwithstanding any legal action instituted by Assembly under these By-laws, the Assembly may give seven (7) days’ notice in writing to the owner or occupier of an unauthorised container/kiosk, or where the owner cannot be found, may affix to the container/kiosk a notice in writing requiring such owner or occupier to remove or pull down such unauthorized kiosk within seven (7) days from the date of the notice.
- (2) Where the owner or occupier of any unauthorized container/kiosk fails or refuses to comply with the notice, it shall be lawful for Assembly to carry out the removal or pulling down as specified in the notice.
- (3) Any notice pasted on or affixed to the container/kiosk shall be deemed to have been properly served.

8. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

1. Interpretation

In These By-laws, unless the context otherwise requires;

“kiosk “means wooden and metal structures conforming to the specifications given in These By-laws.

AY. Upper Denkyira East Municipal Assembly (Nuisance) By-laws, 2023

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

1. Duty of occupier to keep premises from nuisance

- (1) The occupier of any premises (or the owner of the premises, if for the time being unoccupied or if the occupier cannot be found) shall keep it clean and free from all nuisance including any dirt, high grass, rubbish, rags, broken bottles, refuse and all offensive matter and where any premises abuts a street, the occupier or owner shall keep same clean and free from all nuisances so much of such street as shall be contiguous to such premises up to the middle of such street, including any drain, gutter or channel situated on any portion of the street.
- (2) No person shall cause a nuisance in any public places or open space.
- (3) No occupier of any premises shall by any act allow the existence of a nuisance in such premises.

2. Notice to abate nuisance

- (1) Wherever any Health Officer receives information of, or otherwise has reason to suspect the existence of any nuisance, he shall conduct or cause to be conducted an inspection of the premises where such nuisance is suspected to exist and serve a notice on the person by whose act, default, or sufferance the nuisance has arisen requiring him to abate it.
- (2) Where the nuisance involves any animal or bird, the notice may require the occupier or owner of the premises concerned to remove the animal or bird from the premises.
- (3) Where a Health Officer considers that the issuance to an offender with a Summons to Prepare for Court will create awareness of existence of a bylaw among the populace, he or she may issue such summons indicating the relevant by law of the Assembly.
- (4) If a person on whom notice is served defaults in complying with any of the requirements thereof within the time specified, therein, or within five (5) days if no time is so specified or fails to satisfy the Health Officer that the defaulter has all diligence to comply with the requirements and that nuisance is not likely to reoccur on the same premises, the officer shall take proceedings before a law court-
- (5) If such court is satisfied that the alleged nuisance exists, and that although abated, it is likely to recur on the same premises. The court shall make an order on the person in default requiring him to comply with all or any of the requirements of the notice, or otherwise to abate the nuisance within the time specified in the order and such time as the court may deem sufficient or an order prohibiting the recurrence of the nuisance or an order both requiring abatement and prohibiting the recurrence thereof.
- (6) Any person who fails to comply with an order made under the sub-paragraph (4) of this paragraph commits an offence and shall be liable on 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 a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

3. Power of entry to abate nuisance

- (1) A Health Officer may enter such premises to which the order relates and abate the nuisance and may recover the expenses incurred as a result thereof as a civil debt from the occupier.
- (2) Where the person by whose act or default the nuisance has arisen or the owner or occupier is not known or cannot be found, the necessary work of abating such nuisance may be executed under the authority of a Health Officer.

4. Inspection of premises

- (1) Any Health Officer or any person authorized in writing by the Assembly may enter and inspect any premises at any time between 6:00 am in the morning and 6:00 pm in the evening and any Health Officer or any person authorized in writing by the Chief Executive or Coordinating Director on advice of the Director of Health Services or the Environmental Health and at any time between 6:00pm to 6:00am for the purpose of examining it for the existence or continuation of any nuisance therein.
- (2) Upon successful inspection of the premises and upon its meeting all the Environmental Sanitation and Hygiene Standards of the Assembly, a health inspection certificate duly signed by the Coordinating Director and Environmental Health Officer shall be issued to the owner or proprietor whose premises has been inspected at a fee fixed by a resolution of the Assembly. Such certificate shall be valid for three (3) months.
- (3) If admission to premises for any of the purposes mentioned in These By-laws is refused, the Co-ordinating Director may in writing require the person occupying or having custody of the premises to admit the Health Officer or any person(s) authorized as aforesaid into the premises between the hours aforesaid; provided that,
 - a) if no person occupying or having custody of the premises is found, the Coordinating Director may in consultation with Police authorize the aforesaid persons, or any of them, if necessary, to break into and enter such premises; and any such order shall continue in force until the nuisance has been abated, or the work for which the entry was necessitated has been done;
 - b) if the premises is occupied, the Co-ordinating Director may seek an order of court to have the said premises broken into for the said purpose.
- (4) A person who prevents an authorized officer from inspecting a premises commits an offence and shall be liable on 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 a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

5. Space around homes:

- (1) Every person shall keep a space of at least 12 feet around his or her place of lease or 12 feet around his or her place of dwelling and shall be constantly swept and all nuisances removed.
- (2) Where there is a need to keep a vegetable garden close to a wall, the garden shall be kept as not to cause a nuisance to inmates, neighbours or the public.

6. Cleaning, disinfection and disinfestation of premises

- (1) The owner or occupier of any premises shall keep the said premises free from all infectious or contagious diseases.
- (2) Where a Health Officer considers that the cleaning and disinfecting or disinfestation of any premises or part thereof of any article therein will prevent or check infectious diseases, he or she shall give notice to the occupier or owner of such premise giving him or her date and time to clean, disinfect or disinfest such house or premise or part or article thereof in a manner as shall be directed or determined by the Health Officer.
- (3) A certificate of compliance duly signed by the Co-ordinating Director and Environmental Health Officer shall be issued to the occupier or owner of such premise on compliance with the notice at a fee fixed by a resolution of the Assembly. Such certificate shall be valid from three (3) to six (6) months.
- (4) If the person to whom notice is given fails to comply therewith commits an offence and shall be liable to a fine as fixed by a resolution of the Assembly for every day during which he continues to make default after the prescribed period and the Health Officer shall cause such house or part thereof or articles to be cleaned and disinfected or disinfested and shall recover the expenses incurred from the occupier or owner in default as a civil debt.

7. Household and Institutional Latrines

- (1) Where a Health Officer considers that the provision of a modern and improved household or institutional latrine recommended by the Assembly or conversion of an unimproved or unsafe latrine into a modern and improved latrine as recommended by the Assembly in a premise will prevent open defecation by the occupants of such premises, he shall give a notice to the occupier or owner of such premises requiring him to provide such latrine within a prescribed period.
- (2) If the person to whom notice is given fails to comply therewith commits an offence and shall be liable to a as fixed by a resolution of the Assembly for every day during which he continues to default after the prescribed period.
- (3) All premises shall have a modern and improved latrine recommended by the Assembly in concert with the Environmental Health Officer to prevent open defecation.
- (4) All facilities or structures including sanitary facilities such as washrooms, latrines, urinals, bath houses whether they form part of a building or they stand as separate structures shall be taken through environmental and social impact assessment by the appropriate departments or units of the assembly during their construction and use or operation to ensure they comply with or conform to environmental and social safeguard guidelines or measures.
- (5) No facility or structure as stated in sub-paragraph (4) that impact negatively on Public Health shall be allowed to exist within the jurisdiction of the Assembly.
- (6) Where the Assembly in conjunction with its accredited contractor or agent considers that providing an owner or occupier of a premise with financial assistance in the form of a loan and technical support to construct a modern and improved hygienic latrine or washroom or urinal as recommended by the Assembly will prevent open defecation or bathing or urination by occupants of the premise, the Assembly in conjunction with its accredited contractor or agent shall do so with payment terms and conditions agreed upon with the owner or occupier of the premise. In the event of failure by the owner or occupier to comply with the payment terms and conditions agreed upon by the Assembly, its accredited contractor or agent and the owner or occupier, the Assembly shall serve the owner or occupier with a demand notice indicating the time for payment. Failure by the owner or occupier of the premise to pay by the prescribed period constitutes an offence under These By-laws and the Assembly shall seek redress in a competent court of law.

8. Prohibition of Business in Noxious or Offensive Trade

A person who without lawful authority or excuse, the proof of which lies on that person,

- (1) carries on a business in noxious trade or offensive matter a place or causes or permits a business in noxious or offensive matters continue to be collected at any place, or keeps animals at a place,
- (2) to impair or endanger the health of the public inhabiting or using the neighborhood of that place or
- (3) to cause damage to the lands, crops, cattle, or goods of the public, or
- (4) to cause material interruption to the public in their lawful businesses or occupations, or (iv) To materially affect the value of their respective properties,
- (5) pollutes fouls the water of a well, tank, spring, reservoir, or place used or intended to be used for supply of water for human or animal consumption,

9. Letting out of infected houses

- (1) Whoever knowingly lets, either for hire, occupation or otherwise, any house or premises, or part of a house or premises in which any person has been suffering from any dangerous infectious disorders without having such house, room or part of a house or premises and all articles therein properly disinfected to the satisfaction of the Health Officer, commits an offence and shall be liable on 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 a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) For the purpose of this section, the keeper of any boarding house or hotel or any other premises shall be deemed to let for the hire, part of the house to any person admitted as a guest into such boarding house or hotel or premises.

10. Siting of a burial ground

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

11. Prohibition of defecation and urination at the public or open space

- (1) It shall be unlawful for any person to defecate or empty his bowels or urinate at any restricted or prohibited area, or any public place or open space in any place being an apartment or an adjoining dwelling house or at a beach or bush or any other public or open space.
- (2) No occupier of any premises shall by act, default or sufferance allow the existence of such nuisance as stated in sub-paragraph (1) in and or around his premises.

12. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer or any officer of the Assembly who is acting or purporting to act in the performance of any duties relating to any of the purposes of these By-laws.

13. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

14. Interpretation

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

“Health Officer” includes an Environmental Health Officer or any person appointed or delegated by the Environmental Health Officer of the Assembly.

“Nuisance” means anything which is either injurious to health or comfort and convenience of life of members of the public and includes:

- a) Any street, house or premises or dilapidated building or structure with cracks and at the verge of collapse or in such state as to be, or likely to be injurious to health.
- b) Any pool, ditch, gutter, water course, Latrine, urinal, bath-house, spill over of effluent from a septic tank, soakaway, catch pit, pond, well, cesspool, swimming pool, any waste water draining into an open space, any waste bin not covered or full to the brim and spilling over, any pit latrine without vent pipe full to the brim and exposed to flies and other disease vectors and other animals, burning and burying of waste, any accumulation of water or drain or refuse bin in such a state as to be, or likely to be, offensive or injurious and dangerous to health.
- c) The keeping or harbouring of any animal or bird in any premises in such manner or in any premise so constructed, or so situated as to cause or likely to cause, such nuisance or injury to health.
- d) Any growth of weeds, prickly, pear, long grass or wild bush of any sort.
- e) Any house or part of a house or building so overcrowded as to be dangerous or injurious to the health of the inmates.
- f) Any work, manufacture, trade or business injurious to the health of the neighbours or which is so conducted in a manner which is or likely to be dangerous or injurious to public health.
- g) Any accumulation or deposit of rubbish, rags, waste water, anal cleansing materials, excreta, urine, electronic wastes, broken bottles, polythene bags, plastics, disused lorry tires or of articles of things which is likely to be injurious to public health.
- h) Any well, swimming pool or pond or water tank the water of which has not been examined to ascertain its conformity to Environmental Protection Agency’s (EPAs) permissible levels, limits or guidelines and safety, pond or tank or pool the water, of which is tainted with impurities, pathogenic microorganisms, or otherwise unwholesome as to be injurious to the health of the persons using it.
- i) Any drain or premise with stagnant water or growth of weeds or accumulation of silt or waste adjoining a temporal or permanent building or structure.

“Owner” includes the occupier.

“Modern and improved latrine” means, Water Closet, Ventilated Improved Pit Latrine (VIP), Biogas Latrine, Kumasi Ventilated Improved Pit Latrine (KVIP) etc.

“Unimproved or unsafe latrine” means traditional pit latrine that is, pit latrine without ventilation pipe, or a pan latrine.

AZ. Upper Denkyira East Municipal Assembly (Processing of Fish) By-laws, 2023

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

1. License

- (1) No person shall smoke, cure or pack any fish for commercial purpose within the area of authority of the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly') unless a site suitability inspection has been conducted by the Environmental Health Officer and a License has been issued for that purpose.
- (2) The License granted shall always be kept on the premises and produced on demand by the Health Officer of the Assembly or any officer authorized by it.

2. Fee for License

There shall be paid to the Assembly in respect of every such license such fee as specified in the Fee Fixing Resolution of the Assembly

3. Form of License

The license shall be in the form set out in the Schedule to These By-laws as or near thereto as circumstances permit and shall continue to be in force until the 31st day of December next following the date of issue unless otherwise renewed.

4. Premises for Fish Processing

No person shall smoke, cure or pack any fish for commercial purpose except in premises provided for or in premises approved by the Assembly.

5. Conditions for Fish Processing Premises

The following conditions shall apply to premises approved by the Assembly:

- a) The premises shall open to the public from 6:00a.m. to 6:00p.m.
- b) The owner shall supply fresh water for cleaning purposes
- c) All offal must be deposited in the bins provided for that purpose;
- d) A fee as prescribed by the fee fixing resolution of the Assembly shall be payable by an individual to the attendant at the entrance of the premises for each day on which the premises is used and the attendant shall issue a ticket to the payer showing the amount paid and the date of issue;
- e) Whoever uses the premises shall obey the reasonable directives or requests of the attendant and all other offices of the Assembly in the preservation of cleanliness, order and regularity in the shed or in facilitating the dispatch of business therein.

6. Power of Entry/ Inspection

The Environmental Health Officer or any other authorized officer of the Assembly shall have power to enter any premises licensed under These By-laws for the purpose of inspection, at any time between the hours of 6 a.m. and 6p.m. and also at any time when fish cleaning, smoking, curing and packing is being carried out therein.

7. Prohibited Persons

- (1) No person of unsound mind or person suffering from vermin or any contagious or infectious disease shall enter or be in the premises provided for fish cleaning and packing.
- (2) The Assembly or any officer appointed by it for this purpose shall have the power to prohibit from entering such premises, or to eject from the premises, any person who in the opinion of the Assembly or officer so appointed, justifies such action.

8. Food Stuff

No foodstuff shall be brought into or consumed on the premises

9. Animals not allowed

No dog or other animal shall be allowed inside such premises

10. Restriction of Persons

No person other than those engaged in the cleaning and packing shall be allowed on such premises.

11. Penalty

- (1) Any person who contravenes or fails to comply with any of the provisions of These By-laws or obstructs or resists any officer acting or purporting to act in the performance of his duties relating to the administration of These By-laws shall be liable on summary conviction by a court to a fine 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 not exceeding three (3) Months or both.
- (2) The penalty as indicated above shall be subject to review as and when necessary, by a resolution passed by the Assembly in any particular year for the purpose.

SCHEDULE

**UPPER DENKYIRA EAST MUNICIPAL ASSEMBLY
FISH CLEANING AND PACKING LICENSE**

Under mentioned premises owned/managed by.....is hereby licensed for fish cleaning and packing.

This expires on the 31st day of December 20.....of Premises.....

Issue.....

Made at a meeting of the Upper Denkyira East Municipal Assembly held on the 20.....

Approved on thisday of20 by

.....
Municipal Environmental Health Officer

.....
Municipal Coordinating Director

BA. Upper Denkyira East Municipal Assembly (Protection of Roads) By-laws, 2023

In exercise of the powers conferred on the Abura Upper Denkyira East Municipal Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these By-laws are hereby made:

1. Prohibitions

- (1) A person shall not spill fuel and lubricants on any road within the administration of the Upper Denkyira East Municipal Assembly (hereinafter referred to as 'the Assembly').
- (2) A person shall not damage any part of bitumen surface roads by dragging a heavy metal or wood or stone or any other material on the surface of a road.
- (3) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
- (4) A person shall not use, pour or put corrosive material on the bitumen surface roads.
- (5) A person shall not off-load or dump any item(s) or goods on any road or adjoining shoulder or walkway so as to constitute obstruction to road and pedestrian traffic.
- (6) It is an offence to keep a disabled vehicle for more than 2 hours on the road.
- (7) It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder of a road.
- (8) Any person or group of persons who erects advertising bill boards at intersections to obstruct visibility at the intersections commits an offence.
- (9) A person shall not erect speed ramps within the municipal without the approval of the Assembly.

2. Excavation on roads

- (1) A person shall not cut a trench on any part of the road or bore under any road without a permit from Assembly. All application for cutting or boring shall pass through the Department of Roads and shall be approved by the Ministry of Roads and Highways. A permit shall be issued under the following conditions:
 - a) Assessment of associated cost as determined by Department of Roads
 - b) Payment of determined cost to Department of Urban Roads
 - c) Pursuant to the issuance of the permit, the Assembly through Department of Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity
- (2) The Department of Roads shall be responsible for the proper and timely reinstatement of the excavated area
- (3) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
- (4) The Department of Roads shall supervise the excavation activity.

3. Blocking of Road

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

4. Washing of vehicles

- (1) A person who washes vehicles on a road commits an offence.
- (2) A person who washes vehicles on the road shall have the vehicle impounded and made to sign a bond before a Court of Law that the conduct shall not be repeated before releasing the vehicle.
- (3) A commercial vehicle washing bay that does not direct its waste water away from the road commits an offence. The Assembly shall issue a written notice to the owner of the premises to remedy the situation. If the offence continues after the notice has expired, the equipment shall be seized and the owner shall sign a bond before a Magistrate and pay the penalty for the offence and remedy the situation before the release of the equipment. In addition to the bond the person shall pay a spot fine of not less than 100 penalty units but not more than 250 penalty units.

5. Drains

- (1) Any person or group of persons who dumps any type of solid material into a drain commits an offence.
- (2) Any person or group of persons that undertake an activity that physically damages the drain commits an offence.
- (3) Any person or group of persons that undertakes any activity which blocks the drain (partially or completely) commits an offence.
- (4) Any person or group of persons who removes any type of drain cover (metal gratings or concrete slabs) commits an offence.

6. Walkways and Shoulders

All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians. The following types of encroachments shall constitute an offence;

- a) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, boundary fence wall etc. on the pedestrian walkway.
- b) Dumping of any material (sand, stones etc.) for any purpose
- c) Digging through walkways and/or shoulder
- d) Driving on a walkway and/or shoulder
- e) Digging and placing of signs in any road shoulder and walkway

7. Road Furniture

- (1) Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.
- (2) A person shall not remove any road furniture from its originally installed place. A person shall pay a fine of 120 penalty units who contravenes this provision.
- (3) Any person who crashes into road furniture shall reinstate as per recommendations from the Department of Roads.
- (4) Any person who defaces road line markings and signs commits an offence.

8. Medians and Islands

- (1) Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists. The following types of encroachments shall constitute an offence:
 - a) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, etc. on medians and islands.
 - b) Dumping of any material (sand, stones etc.) for any purpose.
 - c) Digging through medians and islands.
 - d) Lorry stations within islands and bus stops pose risks to pedestrians and motorists hence any person who operates any transport station within an island commits an offence.
- (2) Access of pedestrian crossings shall be kept opened and unrestricted at all times.

9. Enforcement

For purposes of these by- laws, the Department of Roads shall form a task force to monitor and ensure compliance with the provisions of These By-laws.

10. Offence and penalty

Any person who contravenes any provision of these By-laws commits an offence and shall be liable on conviction by the court to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

BB. Upper Denkyira East Municipal Assembly (Regulation of Vehicle Parking Places) By-laws, 2023

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

1. Parking of vehicle in public pathway

Any person who-

- a) Parks a vehicle; or
- b) Parks goods or items in any public pathway or pavement shall be guilty of an offence.

2. Obstructing traffic

- (1) No bottles, empty cases spare parts of vehicles or derelict vehicles shall be placed, parked, or allowed to cause obstruction to traffic or other users of the road, be an eyesore or unpleasant to the public.
- (2) The Assembly shall have a task force from the Transport Unit which shall ensure that broken down vehicles within the metropolis are towed at a fee against the owner or the person in charge at the time of the break down off the road.
- (3) With respect to heavy duty vehicles, the task force shall liaise with the Police Motor Traffic Transport Department to forestall traffic congestion.

3. Parking Fees payable

- (1) A driver of a vehicle shall pay the prescribed fee to the person appointed by the Assembly. or the authorized person as a collector of parking fees who shall issue a receipt to him which he shall produce on demand by an authorized officer of the Assembly.
- (2) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the prescribed fee.
- (3) The Attendant/Collector shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated thereon and is not transferable.
- (4) The ticket so issued, shall be valid for a prescribed period.

4. Parking

- (1) A person shall not park a vehicle at a place in an unreasonable manner so as to prevent access to any premises.
- (2) A person shall not park motor vehicle on the road or pavement within fifty feet or fifteen meters of a NO PARKING sign.
- (3) A person shall not park motor vehicle on both sides of a road abreast with another motor vehicle (Double Parking).
- (4) A person shall not park a motor vehicle within thirty feet or nine meters to a junction.
- (5) A person shall not park or stop a motor vehicle on a pedestrian crossing or along the major road.
- (6) A person shall not park or stop a motor vehicle close to the crest of a hill or on a bend/curve where visibility is not sufficient for the parked vehicle to be overtaken in complete safety.

5. Clamping of vehicles

- (1) A vehicle parked in contravention of these By-laws shall be clamped by the Assembly or its authorized agents.
- (2) An owner of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by Assembly by resolution before the release of the vehicle to him.

6. Towing of vehicles

The Assembly or its authorized agents shall tow any vehicle parked at an unauthorized place upon the following conditions-

- a) The vehicle being towed shall be deposited at a place to be designated by the Assembly.
- b) The driver or person in charge of the towed vehicle shall pay a spot fine in accordance with the fee fixing resolution of the Assembly before the release of the vehicle.
- c) The Assembly shall take all reasonable care to ensure the safety of the towed vehicle but shall not take personal responsibility for any loss or damage of the vehicle.

7. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws shall be guilty of an offence and shall pay a spot fine as shall be determined by the Assembly or in default shall on conviction by a court, be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not more than three (3) months or both the fine and imprisonment.

8. Interpretation

In these By-laws unless the context otherwise requires: -

“Motor Vehicle” means any mechanically propelled vehicle intended or adopted for use on roads;

“Place” includes street, pavement or an open space.

BC. Upper Denkyira East Municipal Assembly (Sale of Meat and Fish) By-laws, 2023

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

1. License to sell Meat and Fish

No person shall sell, expose or offer for sale any fresh or frozen meat or fish at any place without a site or premise suitability inspection by the Environmental Health Officer recommending for approval by the Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) for that purpose and a license duly granted by the Assembly.

2. License fees

The fee for a license for the sale of fresh/frozen meat or fish shall be fixed by a resolution of the Assembly.

3. Sale of meat or fish

- (1) No person shall:
 - (a) sell or dispose of any meat or fish at any shop, market or other place unless otherwise approved by the Assembly.
 - (b) distribute for sale any fresh meat, unless it is the flesh of animal slaughtered in a recognized Slaughter house
 - (c) sell meat or fish without certification by the Environmental Health Officer confirming its fitness for human
- (2) The practice of carrying meat products in the booths of vehicles, open vehicles and baskets, and other unhygienic practices is hereby banned.
- (3) The Assembly’s Health Officers shall ensure that meat being conveyed to any market in the municipal shall be conveyed in a recognized meat van.
- (4)

4. Imported Meat/ Fish

Provided that where fresh meat duly stamped by a recognized slaughterhouse authority, is brought into the Municipal from other parts of Ghana or from outside Ghana, the Assembly may allow the sale of such meat provided such meat and fish is cleared through Customs, Excise and Preventive Service and approved and certified by the Assembly’s Municipal Environmental Health Officer, confirming its fitness or wholesomeness for human consumption.

5. Meat and fish storage

All meat and fish for sale shall be inspected and stored in clean containers to prevent contamination or shall be preserved in refrigerators to prevent decomposition.

6. Protection of Meat and fish

- (1) All meat and fish shall be protected against flies and dust.
- (2) A person engaged in the sale of meat and fish shall not allow any person suffering from any communicable disease to take part in his business.
- (3) The Control of Markets By-Law for the time being in force shall be applicable to the sale of meat and fish and any act or omission found to be inconsistent with any of its provisions shall, to the extent of the inconsistency, be an offence.

7. Sale Of Rotten Meat/Fish

No individual shall sell or offer for sale to the public any rotten or decomposed meat and fish.

8. Health Certification

No person who has not undergone health examination of fitness and issued with Assembly Health Certificate of fitness which shall be valid until 31st December of the issuing year shall be allowed to sell meat or fish for human or animal consumption.

9. Obstruction

No person or group of persons shall insult, resist, obstruct or undermine any Health officer or any officer appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of these By-laws

10. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

BD. Upper Denkyira East Municipal Assembly (Universal Salt Iodization) By-laws, 2022

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

1. Mandatory Iodization and Packaging of Salt for Human and/or Animal Consumption

- (1) A person or a company shall not import, manufacture, package, label, advertise, store, deliver, distribute, trade/sell or export salt that is not or adequately iodized in accordance with the laid down Regulations or Guidelines for human or animal consumption. Failure to do so constitutes an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (2) Any salt offered for sale by any trader must be adequately iodized (50 parts per million maximum) and packaged or stored in such a manner that the iodine content must not be depleted below the minimum (15 parts per million) accepted quantity required for human and/or animal consumption. Failure to do so constitutes an offence which shall be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (3) If a salt trader continues to go contrary to sub paragraph 1 and 2 on three (3) occasions, the said trader's allocated stall, store or market space shall be closed down for six (6) months or liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.
- (4) A person who transports or offers for sale or retails any salt which is not iodized, commits an offence liable to confiscation of his or her product or a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

2. Registration of Salt Traders

- (1) A salt trader operating within the jurisdiction of the Upper Denkyira East Municipal Assembly (hereinafter referred to as "the Assembly") shall register with the Assembly before operating to regularize their operations and obtain operation approval certificates, production or commerce in salt.
- (2) A salt trader before registering with the Assembly shall first register with an accredited Salt Traders Association within the area of Assembly.
- (3) A registered salt trader within the jurisdiction of the Assembly must have a membership card
- (4) Membership card issued to a salt trader expires on the 31st December of the issuing year and must be renewed in the ensuing year.
- (5) The operation approval certificate to be issued by the Assembly shall not absolve any business entity from regulatory requirement of the Food and drugs Authority.
- (6) The operation approval certificates shall be, made available for inspection at all times on demand by an authorized officer or agents.
- (7) A salt trader who fails to register with the Assembly and contravenes any of the provisions of these By-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

3. Levy on Salt entering the Assembly

The Assembly shall impose a levy on each 50kg of salt entering any area of the municipal in accordance with the fee-fixing resolution.

4. Eateries

All eateries including educational institutions, must use only adequately iodized salt (i.e., 15 to 50 pm) in the food they prepare for sale to the public. Failure to do so shall constitutes an offence liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

5. Revocation of License

The assembly may withdraw the operation approval certificate of any salt establishment for non-compliance with theses By-laws.

6. Mounting of Signpost

All salt producers shall mount, erect or place a signpost inscribing their Trade Name and Address of their workplace.

7. Labeling of Products

All salt producers in the jurisdiction of the Assembly must emboss or label their products with their company Name or Trademark and the intended use of the salt either for human and animal consumption or for industrial use.

8. Deception of consumers

A person who manufactures, labels, packages, sells or advertises a salt in a manner that is deceptive or misleading as regards its character, nature, value additives, substance, quality, quantity, composition, merits or safety commits an offence. This section does not however include salt meant for industrial purpose i.e not for human or animal consumption.

9. Payment of levy for Transportation of salt

Any salt that is transported from the municipal shall attract a levy prescribed in the Fee-fixing Resolution of the Assembly payable to the Finance Officer or any person authorized by him to collect such levy.

10. Powers of Entry/Inspection

Any authorized officer of the Assembly may:

- a) enter and inspect for compliance with these By-laws any establishment engaged in production, distribution or sale of salt or food meant for human or animal consumption for which salt is an added ingredient.
- b) open and examine a receptacle, or packaging which the officer believes contains and article to which These By-laws applies.
- c) seize and detain for the period that the officer considers necessary an article by means of or in relation to which it is believe a provision of These By-laws has been contravened.
- d) An authorized officer may by a warrant break open a container or door of premises where salt may be kept for storage or sale; but this power shall be exercised only after the owner or a responsible person in occupation of that premises is present and refuse to open the container or door on being asked to do so.

11. Obstruction

No person or group of persons shall resist, insult, molest or obstruct or assaults the Health Officer, or any member of the salt iodization enforcement taskforce or any designated officer or other officers of the Assembly who is acting or purporting to act in the performance of any duties relating to the purposes of these By-laws

12. Penalty

Except otherwise specifically provided in these By-laws any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than six (6) months and not more than twelve (12) months or both the fine and imprisonment.

BE. Upper Denkyira East Municipal Assembly (Street Market) By-laws, 2023

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

1. Street Market

- (1) The Upper Denkyira East Municipal Assembly (hereinafter referred to as “the Assembly”) shall publish in the Gazette a notification to the effect that a Street Market has been established specifying the name of the street and notify the Traditional Council.
- (2) The street market shall be opened to the public only on days specified for the purpose.
- (3) Except on such days and during the hours as are provided for in these By-laws, no person shall at any time in any street market place or leave or cause to be placed or left any stall, furniture, equipment, merchandise or goods or any articles whatsoever whether of a description herein enumerated or of any other description.
- (4) Anything left in the Street Market in contravention of sub-paragraph (3) of These By-laws, shall be removed by officers of the Assembly and the goods may be destroyed or otherwise disposed of as the Assembly may think fit.
- (5) Spaces and selling in Street Market shall be demarcated as the Assembly may determine.

2. Hawker’s Permit

- (1) A person shall not operate as a hawker unless he obtains a permit from the Assembly for that purpose.
- (2) No individual other than a person who holds a Hawker’s permit shall occupy a selling space or site in a Street Market.
- (3) A Hawker’s permit shall be valid and must be produced on demand to any officer appointed by the Assembly to supervise the Street Market.
- (4) A space or selling site may not be occupied by more than one person.

3. Prohibition of certain articles

- (1) Except where the Assembly at any time otherwise directs, no person shall offer for sale in a Street Market any palm wine, corn wine or any other native alcoholic beverage, any fresh fish or any other article the sale of which may at any time be prohibited by the Assembly under these By-laws.
- (2) No person shall offer for sale or sell any article in a Street Market other than in the space or selling site allocated to him by the Assembly.
- (3) No occupier of any space or selling site shall place any box, basket or other containers in the pathways or avenues of the market.
- (4) No person shall under any circumstances bring or cause to be brought into a Street Market any of the following:
 - a) Dogs, sheep, goats, swine, cattle; or
 - b) The offal of any animal; or
 - c) The skin of any animal, unless such skin has been properly cured or dressed; or
 - d) Any plain wine, corn wine (Pito) or other local alcoholic beverage.

4. Cleaning of space/selling sites

- (1) An occupier of space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he shall at the close of each day thoroughly clean his space or selling site and sweep all rubbish from the space or selling site, its surroundings, and place the rubbish in the dustbins provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind.
- (2) A person who is a seller or a buyer in a Street Market shall at all times obey the directives of Assembly’s officer for the preservation of cleanliness, order in the market or for facilitating the dispatch of business therein.

5. Hygienic sale of food

- (1) No occupier of any space or selling site shall offer for sale any bread, prepared grain food or drink or any other articles of food, unless the articles are placed on a table or support raised at least one meter from the ground.
- (2) No article which is likely to be used for human consumption shall be exposed to dust or flies. Articles not fit for human consumption shall be disposed of in such a manner as will satisfy the sanitation rules imposed by the Assembly’s Health Officers.

6. Right to prohibit entry into street market

- (1) An authorized officer of the Assembly shall have the power to prohibit entry into a Street Market of any person who has previously been guilty of such conduct on or about any Market as in the opinion of the officer, justifies such prohibition.
- (2) A person of unsound mind, and any leper or person suffering from vermin or any contagious or infectious disease shall be prohibited entry into Street Market.
- (3) No person who has not undergone Health examination of fitness and issued with Assembly Health certificate of fitness which shall be valid until 31st December of the issuing year shall enter into a Street Market to sell any food or drink item.

7. Responsibility towards Children

A person in charge of a child in any market shall be responsible for the neat and responsible conduct of the child, and shall at the request of any officer from the Assembly or Police Officer, remove any nuisance the child may commit.

8. Indemnity of Assembly

The Assembly shall be under no liability whatsoever for any loss caused to the property of any occupier of any space or selling site whether due to fire or theft or any other cause whatsoever.

9. Traffic in Street market

No vehicular traffic shall be allowed in a Street Market hours.

10. Obstruction

No person or group of persons shall resist, insult, molest, obstruct or undermine any Health Officer any officer of the Assembly in the performance of any duties relating to any of the purposes of these By-laws.

11. Penalty

Any person who fails to comply with or contravenes any of the provisions of these By-laws or conspires, attempts, aids, abets, counsels or procures any other person to contravene any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine of not less than one hundred (100) penalty units and not more than two hundred and fifty (250) penalty units or a term of imprisonment of not less than three (3) months and not more than six (6) months or both the fine and imprisonment.

12. Interpretation

In the By-laws unless the context otherwise requires: -

“Hawkers” includes both sedentary and roving persons who carry goods about for sale.

“Street Market” means a market organized by the Assembly on specific roads within the municipal.