

TARKWA NSUAEM MUNICIPAL ASSEMBLY BYE-LAWS
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Tarkwa- Nsuaem Municipal Assembly (Payment of Debts, Rates, Fees, Licenses, Rents, Levies) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Debts, Rates, Title. Fees, Licenses, Rents, and Levies) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly").
2. The Assembly is the sole rating authority for the municipality and may charge fees for Rating any service or facility provided by it or for any license or permit issued by or on its authority. behalf.
3. (1) The Assembly may make or levy general and special rates and, if necessary, have Duty to recourse to the court to provide for expenditure reasonably incurred by it. make/levy
(2) The Assembly may make or levy such other rates as in its opinion are required to Sufficient rates. defray expenditure which needs to be defrayed or expenditure previously incurred.
(3) The Assembly may seek the execution of judgment debts and payment of fines imposed by a court of competent jurisdiction.
4. (1) Any person habitually residing in the area of authority of the Assembly shall, unless Taxable Persons specifically exempted, pay general and special rates
(2) Any person not habitually resident in the area of authority of Assembly and is registered elsewhere as a voter may pay special rates.
5. All rates, licences, fees, rents, levies and charges payable to the Assembly on periodic Place of basis for periods not less than one month shall be paid to the appropriate officer at payment. designated offices.
6. Any person, organization, business or commercial concern making any such payment Receipts shall be required to demand for and receive an official receipt covering any sum of money paid.
7. (1) Payment covering the full year shall be made in advance within one month on the Time for coming into force of this Bye-law. payment.
(2) Subsequent payment shall be made in January of subsequent years.
(3) The year shall end on 31st day of December.
8. In the exercise of its capacity to sue and enforce its Bye-laws the Assembly may; Procedure
(1) cause to be set in motion the criminal process, or
(2) cause the issue of a writ of summons against defaulters or persons who have contravened any of its Bye-laws relating to revenue generation.
9. Any person who contravenes any of the provisions of this Bye-law commits an offence Penalty and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.
10. Any penalty imposed on the offender for an offence or breach provided in this Bye-law Civil action shall be without prejudice to any civil action that the Assembly may decide to commence.

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa- Nsuaem Municipal Assembly (Control of Rates and Rate Collectors) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Rates and Rate Collectors) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title
2. (1) No person or group of persons other than the Assembly shall exercise any power to make or levy any general rate within the area of administration of the Assembly. Authority to levy
 (2) The Assembly has power to levy rates as in its opinion is necessary and enforceable.
 (3) A general or special or other rate payable to the Assembly shall be of such amount as a fee fixing resolution of the Assembly directs.
3. (1) The Assembly may, in writing, authorize any suitable person in respect of any specified area within its authority to collect rates. Delegating Authority
 (2) Without prejudice to sub-section (1) hereof, the Assembly may by notice in writing appoint any of its sub-structures or group of persons specified in the notice to be its agent for the collection of rates.
 (3) No person other than an authorized rate collector or agent of the Assembly shall collect rates levied by the Assembly.
4. It shall be the duty of every rate collector or agent: - Duties of collectors.
 (1) to furnish the Assembly in writing with a nominal roll of the ratable persons in any specified area .
 (2) to collect and receive from such persons the rates Payable.
 (3) to report to the Assembly the name of any person who has failed to pay the amount due.
5. A general rate or any special rate imposed shall be payable by all persons of or above 18 years who reside within the area of authority of the Assembly. Ratable persons.
6. (1) Notwithstanding the provisions of the foregoing paragraph, the following categories of persons shall be exempt from the payment of basic rate:- remission of Exemptions from and remission of rates.
 (a) any person who is for the time-being at attendance at an educational institution who does not receive any remuneration or income during that period other than an allowance, loan or other grant provided for the purposes of such allowance; or
 (b) Any person who is more than sixty-one years old.
 (2) The Assembly may in writing reduce or remit payment of any rate on account of the poverty or old age of any person liable for the payment of such general or special rate.
 (3) The following tenements are exempt from assessment and payment of rate:-
 (a) all premises used exclusively for the purpose of public worship and registered with the Assembly as such;
 (b) cemeteries and burial grounds registered by the Assembly;
 (c) charitable or public educational institutions registered with the Assembly;
 (d) premises used as public hospitals and clinics; and
 (e) Premises owned by diplomatic missions and identified by the Minister for Foreign Affairs as such.
7. An Urban, Zonal, Area or Town Council or Unit Committee may recommend to the Assembly to levy a special rate for such purposes as may be approved by the Assembly. Special Rate.
8. (1) It shall be the duty of every person liable for the payment of any rate to pay the amount to a rate collector or other person or persons duly appointed by the Assembly to collect and receive such rate at the time and place specified by the Assembly. Duty of rateable persons
 (2) Any rate collector or any person authorized by the Assembly may at all reasonable times enter any premises for the purpose of collecting rates.

9. (1) A property rate of an amount fixed by a resolution of the Assembly shall be payable by owners of buildings erected within the area of authority of the Assembly on the assessed value of the building Property rate.
- (2) If the amount of the rate due in respect of any premises is not paid within the period of ten (10) days upon becoming due, the Assembly shall cause to be affixed on a conspicuous part of the premises a notice to the effect that if the amount of the rate payable in respect of the premises is not paid within forty-two (42) days from the date of the notice, proceedings will be taken for the sale of the premises for the purposes of defraying the amount.
- (3) Such proceedings to enforce the payment of a rate payable may be taken by the Assembly before any court and if the court is satisfied that the amount of the rate due in respect of the premises has not been paid it shall order the premises to be sold to defray the amount of the rate due.
- (4) Any premises ordered to be sold to defray the amount of the rate due shall be offered for sale under the direction of a person or body of persons authorized by the Court
10. (1) Every employer, after the publication of notice of payment of rates has been made by the Assembly shall deduct any such general or special rate imposed by the Assembly from the remuneration of any person employed by him who resides in the area of authority of the Assembly Deduction of rate by employer, etc.
- (2) In this paragraph, "employee" includes a commission agent and any other person who habitually retails the goods of another person in consideration for a commission or allowance or who habitually canvasses for or solicits customers for any other person in consideration for a commission or allowance
- (3) All such sums deducted under this section shall be paid to the Assembly within thirty (30) days after the deduction is made.
- (4) An employer who, after deducting from the remuneration of an employee any general or special rate fails to pay the amount to the Assembly within the time stipulated in sub-section (3) above commits an offence.
11. (1) On payment of any rate levied by the Assembly a receipt specifying the period in respect of which it is paid shall be issued to the payer and such receipt shall be prima facie evidence of the payment of rate. Receipts of payments.
- (2) The holder of any receipt for a rate paid shall produce it at any time on demand for inspection by a rate collector or any other authorized servant, agent or officer of the Assembly
12. (1) A person commits an offence who: Offences
- (a) without lawful excuse, the proof of which shall be on him, refuses or neglects to pay any basic special or general rate payable by him under this Bye-law on the date due;
- (b) makes a false statement with regard to his liability to pay rates;
- (c) without lawful excuse, proof of which shall lie on him, incites another person to refuse to pay rate payable by such other person under this Bye-law or who assists another person to make false statement(s) with regard to his liability to pay rates;
- (d) without authority from the Assembly or by a body authorized by the Assembly to do so collects or attempts to collect any rate;
- (e) impersonates a person authorized by the Assembly or by a body authorized by the Assembly to so act, and collects or attempts to collect any rate.
- (f) molests or willfully obstructs any rate collector or person appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of this Byre-law.
- (g) interferes with the work of any officer of the Assembly in the management of statistics, accounts and rates.
- (h) molests or willfully obstructs or corrupts or attempts to corrupt any rate collector or other person appointed by the Assembly who is acting or purporting to act in the performance of any duties relating to any of the provisions of this Bye-law
- (2) A rate collector or agent commits an offence who:-
- (a) fails to deposit with the Assembly any sum of money collected as rates by him;

- (b) knowingly demands from any person an amount in excess of the duly assessed rate;
 - (c) renders false returns, whether orally or in writing;
 - (d) Willfully fails to carry out any duty imposed upon him as a rate collector or an agent under this Bye-law.
13. Any person who contravenes any of the provisions of this Bye-law shall be liable on Penalty summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or both.
 14. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence Civil action.
 15. In this Bye-law, unless where the context otherwise requires: “general rate” means a rate made and levied over the area of authority of the Assembly for the general purpose of the Municipality; “special rate” means a rate made and levied over a specified area in the Municipality for purpose of a specified project approved by the Assembly Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Slaughter-house) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Slaughter-house) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title
2. No person shall slaughter any cattle or other domesticated animal for human consumption at any place within the jurisdiction of the Assembly other than the places appointed for that purpose by the Assembly. Slaughtering of animals
3. (1) No person shall sell or offer for sale at any place within the administrative area of the Assembly or within the precincts of such town the flesh of any cattle or domestic animal not killed in a Slaughter-house or other place appointed for the slaughter of animals except where the flesh or meat is imported and cleared through the Customs, Excise and Preventive Service Meat slaughtered elsewhere and emergency slaughtering
- (2) In case of emergency, animals may be slaughtered by an order of the Department of Health at a place other than a public slaughter-house, 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 person authorized by the Assembly
4. Animals shall be slaughtered between the hours of 5.00 a.m. and 5.00 p. m. each day. Time of slaughter
5. It shall be the duty of the person in charge of any animal awaiting slaughter to provide it with sufficient water and to protect it from any influence tending unnecessarily to cause it pain or harm. Care of animals awaiting slaughter.
6. Every animal brought to the slaughter house for slaughter should be inspected both before and after slaughter by the Director of Health Services or by an officer appointed by him. 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. Inspection of animals before slaughter.
7. (1) All animals slaughtered shall be killed by cutting the throat after stunning or by means of a “Captive Pistol” to be used only by a person authorized by the Department of Health and/or the Environmental Health Officer. Method and conditions of slaughter.
- (2) No animal shall be slaughtered within the sight of another living animal.

- (3) No person shall treat the skin of any animal after slaughter by the application of harmful methods such as burning of vehicle tyres.
- (4) Subject to the provisions of the foregoing paragraph, a Health Officer or any person employed by the Assembly to exercise control over a slaughter-house or other place appointed for the slaughter of animals shall have power to direct the manner in which the animal shall be slaughtered so as to prevent any unnecessary cruelty to the animal and may issue such directions which shall be obeyed by any person using a slaughter-house or such designated place.
8. No vehicle other than a vehicle hygienically equipped and approved by the Department of Health for the purpose shall be allowed to transport or convey meat qualified for sale from the slaughter-house or other approved place to meat markets, meat shops, distribution centres, hospitals or other organizations, except with the approval and under a permit issued and signed by the Department of Health. Transport of slaughtered animals
9. 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. Surrender of diseased carcass.
10. (1) No person shall be allowed to slaughter any animal for sale to the public except in an approved slaughter-house within the jurisdiction of the Assembly and unless he holds an appropriate license duly issued by the Assembly as specified under the Schedule hereto. Butchers license and conditions.
- (2) All butchers and their apprentices shall be medically examined by the Department of Health once every twelve months as part of the conditions for the grant and renewal of the license.
11. Subject to the approval of the Assembly, any license may be suspended or cancelled and the holder's named removed from the register by the Department of Health where: Revocation of license
- (1) An owner or a registered person has been convicted of an offence under this Bye-law;
- (2) 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
- (3) The conduct and behaviour of such person is otherwise contrary to the intent and purposes of this Bye-law.
12. (1) The Officer-in-charge shall arrange for the proper cleaning and disinfection of the slaughter-house and its precincts after the slaughtering and dressing of carcass are completed. Cleaning and disinfection
- (2) All persons engaged in the slaughter, dressing or sale of animals should wear aprons approved by the Department of Health.
13. No proprietor of a slaughter-house shall allow any person suffering from any communicable disease to take part in the slaughtering and dressing of any carcass Communicable diseases
14. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
15. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SCHEDULE

Paragraph 10 (1)

TARKWA NSUAEM MUNICIPAL ASSEMBLY (LICENCE for the Slaughter of Livestock at a place other than The Slaughter-house or other approved place)

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

.....
 Director of Health Services

- 1) Any nuisance caused by the slaughtering must be abated by the person responsibility without delay whether or not notice is given to such person
- 2) No flesh of any animal which has not been slaughtered under this license shall be sold as food for human consumption
- 3) The Tarkwa Nsuaem Municipal Assembly (Slaughter-house) Bye-law, 2010 shall be complied with

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

LICENCE FOR BUTCHER TARKWA NSUAEM 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 Tarkwa Nsuaem Municipal Assembly area.

This license is valid up to the day of 20
 Fee GH¢ Date

.....
 Director of Health Services

LICENCE FOR BUTCHER'S ASSISTANT TARKWA NSUAEM MUNICIPAL ASSEMBLY

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

Fee GH¢ Date 20

.....
 Director of Health Services

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Restaurants and Eating-houses) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Title. Restaurants and Eating-houses) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as

“The Assembly”)

2. (1) The owner or proprietor of any restaurant or eating house shall obtain a license from License. the Assembly subject to such conditions as may be imposed.
- (2) There shall be paid in respect of every license such amount as specified by the Fee Fees. Fixing Resolution of the Assembly for any particular year.
- (3) Every license issued under this Bye-law shall be valid from the date of issue and shall Validity. expire on the 31st day of December of the year in which it is issued
- (4) Such license may be renewed for a period of six months or one year as the Assembly Renewal. shall determine.
3. Every restaurant or eating house shall be provided with: - Separate rooms to be provided.
 - (1) a separate room which shall be used solely as a public eating room, and
 - (2) a separate room which shall be used solely as a kitchen for cooking and provided for the preparation of food and liquid refreshments for use in the restaurant or eating house.
4. (1) Any room used as a public eating room in any restaurant or eating house shall be not Requirements less than 4.572 meters in length, 3.658 meters in width and 3.048 in height. of eating rooms.
- (2) The floor of every public eating room shall be made of concrete or other impervious materials.
- (3) Every public eating room shall be provided with adequate lighting and ventilation and shall be fly-proofed.
- (4) No living or sleeping room shall open directly into a public eating room.
- (5) In every public eating room, there shall be provided shelves or cupboards for the storage of plates and other utensils as well as suitable tables and chairs or benches.
5. (1) Every kitchen in a restaurant or eating house shall be of a type approved by the Requirements Assembly and in every such kitchen suitable fly-proof storage for food-stuffs shall be of kitchen provided together with one or more tables with non-absorbent surface for the preparation and serving of food.
- (2) In every such kitchen, an adequately covered receptacle for the disposal of garbage shall be provided and maintained by the owner or proprietor
6. In every restaurant or eating house, suitable arrangements shall be made by the owner or Washing of proprietor for the washing of plates, bowls, cooking utensils, drinking cups and hand- utensils. towels.
7. Every restaurant or eating house shall be kept clean at all times. Cleaning.
8. (1) Any person wishing to operate a restaurant or an eating house or anyone who is Certification by engaged in the preparation, handling, serving or otherwise deals with food prepared Medical and served in any eating house or restaurant shall first be to be free from any Authority communicable disease by the appropriate medical authority
- (2) Such certification shall be done periodically as shall be directed by the appropriate medical authority.
9. Suitable drainage of waste water from the premises of a restaurant or eating house shall be Drainage provided
10. No animals or fowls or other things likely to cause a nuisance shall be kept on the Nuisance. compound of any restaurant or eating house
11. No person shall obstruct or resist or interfere with any officer or other person appointed Obstruction of by the Assembly who is acting or purporting to act in the performance of any duties officer.

relating to any of the provisions of this Bye-law.

12. The Assembly may revoke any license issued under this Bye-law if any alteration is made Revocation of to any premises subsequent to the grant of the license without the prior approval of the license. Assembly or if the licensee flouts any of the conditions contained in the license or the provisions of this Bye- law
13. Any person who contravenes any of the provisions of this Bye-law shall be liable on Penalty summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.
14. Any penalty imposed on the offender for an offence or breach provided in this Bye-law Civil action. shall be without prejudice to any civil action that the Assembly may decide to commence.
15. In this Bye-law, unless the context otherwise requires: Interpretation.
 "Eating house" or "Restaurant" means any premises where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption and includes drinking bars

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Establishment of Municipal Guards Unit) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Establishment of Title. Municipal Guards Unit) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly")
2. There shall be established within the Assembly a body known as the Municipal Guards Unit (hereinafter called "the Unit"). Municipal Guard Unit
3. 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. Head of Unit
4. The Unit shall be divided into such number of divisions as the Department of Security may from time to time specify. Divisions of the Unit
5. The Head of the Unit shall be responsible for exercising general supervision over its operations and day to day administration. Duties of the Head of Unit.
6. (1) No person shall be recruited into the Unit without the minimum qualification of Basic Education Certificate. Qualification for recruitment
 (2) Every such recruit shall before appointment undergo such basic training as may be prescribed by the Assembly
7. (1) Every Guard shall have power to arrest anyone who contravenes the Assembly's Bye-laws and other corresponding enactments, in addition to the usual powers of arrest conferred on any member of the public. Power of arrest.
 (2) Whenever an arrest is made by a 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.
8. A Municipal Guard shall: - Duties of Municipal Guard.
 (1) Assist members of the Ghana Police Service to maintain law and order;
 (2) Regulate traffic and assist at zebra crossings;

- (3) Assist in the enforcement of the Assembly's Bye-laws;
- (4) Carry out any other duties as the Assembly may from time to time specify.
- (5) Sustain the objectives of any decongestion exercise.
9. Any act done without reasonable excuse by a Guard which amounts to a failure to perform in a proper manner any duty imposed on him as such or which is otherwise prejudicial to the efficient conduct of the Unit or tends to bring the unit and/or the Assembly into disrepute shall constitute misconduct. **Misconduct**
- (1) Without prejudice to subsection 9 (1) it shall be misconduct for any Guard to:-
- (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 while on duty;
 - (e) use without lawful authority for some purpose not connected with his; official duties any property or facilities provided for the purposes of the Unit;
 - (f) abuse the fundamental rights of others;
 - (g) receive or demand bribes.
10. The following shall be the penalties that may be imposed in respect of the misconduct or unsatisfactory service of a Guard:- **Penalty**
- (1) dismissal;
 - (2) termination of appointment
 - (3) reduction in rank with immediate reduction in salary;
 - (4) deferment of increment (that is to say, postponement of the date on which the next increment is due with corresponding deferment in subsequent years);
 - (5) stoppage of increment and non-payment of increment for a specified period;
 - (6) suspension from duty without pay for a specified period.
11. 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. **Surrender of Uniforms, etc.**
12. Any person who obstructs, bribes, interferes with or misleads a Guard in the discharge of his duties commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. **Offence penalty**
13. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. **Civil action.**

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Hawkers) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Hawkers) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). **Title.**

- | | | |
|----|---|--|
| 2. | No person shall sell, offer for sale or exhibit for sale any article of merchandise to consumers except in a public market or shop save under, and by virtue of, and in accordance with the conditions and limitations contained in a license granted for that purpose by the Assembly to be known as a Hawker's License. | Prohibition
selling outside
markets |
| 3. | There shall be payable in respect of any such license a fee specified in the fee fixing resolution for any particular year. | License fees
and conditions
of sale. |
| | (1) The holder of any such license shall be subject to the following conditions and limitations: | |
| | (a) All articles sold or offered for sale shall be of merchantable quality. | |
| | (b) All food sold in the state in which it is to be consumed must be protected by covering with wire gauze or netting against dust and flies; | |
| | (c) The Department of Health may cancel any license the holder of which is found to be suffering from infectious or contagious disease. | |
| | (d) No hawker shall sell or offer for sale in or within 100 meters of the perimeters of any market; | |
| | (e) No hawker shall loiter to sell any item of food in a state that is to be consumed within 50 metres of a public latrine or a refuse collection area or other places of nuisance. | |
| 4. | Without prejudice to section 2 of this Bye-law, no hawker shall: | Prohibited acts. |
| | (1) adopt any course of conduct that is detrimental to customers; | |
| | (2) make any false or misleading claims; | |
| | (3) use obscene or indecent language. (4) cause noise pollution by any means; | |
| | (4) abuse the environment in any other way; and | |
| | (5) obstruct the public use of public way. | |
| 5. | Any person who contravenes any of the provisions of this Bye-law commits an offence shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty |
| 6. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Nuisance and Infectious Diseases) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|---------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Nuisance and Infectious Diseases) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). | Title. |
| 2. | The following acts shall constitute offences under this Bye-law: | General
offences |
| | (1) The keeping or harboring of any animal in any premises in such a manner or in any premises so constructed or so situated, as to cause or be likely to cause injury or danger to health. | |
| | (2) Keeping any house or part of a house so grown with weeds, prickly pear, long grass | |

or wild bush of any kind;

- (3) Keeping any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates;
 - (4) Accumulation or deposit of article(s) or things(s) detrimental to the amenities of the place, or in respect of which it is certified by an Environmental Health Officer that by reason of its character or situation, it is, or likely to be, injurious or dangerous to health;
 - (5) Any work, manufacturing, trade, or business injurious to the health of the neighbours or which is so conducted as to be dangerous to health or likely to be so;
 - (6) Keeping any rat-infested house or premises, or any rat-infested part of any house or premises, or rat-hole in any part of any house or premises.
 - (7) Causing nuisance in any street, house, pool, ditch, gutter and water course or toilet facilities.
3. The occupier of any premises (or the owner of the premises for the time being unoccupied) shall keep such premises free from all nuisance; and where any premises abuts a street, 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 drain, gutter or channel on any such portion of the street. Duty of the occupier to free nuisance.
 4. Department of Health shall from time to time conduct inspections in order to ascertain if any nuisance exists and if so take necessary steps to enforce the provisions of this Bye-law Duty of Health Officers.
 5. Whoever in any town or place causes or permits to be placed any carrion, filth, dirt, refuse, or rubbish, or any offensive or otherwise unwholesome matter, on any open space, except at such places as may be set apart by the Assembly for that purpose, commits an offence. Throwing of rubbish in the street.
 6. Where an offence committed is punishable and the offender cannot be identified or discovered the fact of any carrion or other substance being found in front or at the back or side of any premises shall be prima facie evidence of it having been placed there by the occupier(s) Rubbish deemed deposited by occupier
 7. (1) Whenever a Department of Health Officer receives information of, or otherwise has reason to suspect the existence of any nuisance, he shall make or cause to be made an inspection of the premises where such nuisance is suspected to exist, and if he discovers the existence of any nuisance, he may serve a notice on the person by whose act, default, or sufferance the nuisance has arisen or continues, or on the occupier or owner of the premises (as the case may be) requiring him to abate it. Notice to abate nuisance.
 - (2) In the case of a nuisance falling within the purview of section 2 of this Bye-law, the notice may require the occupier or owner of the premises concerned to remove the nuisance concerned from the said premises.
 - (3) If a person on whom a notice is served defaults in complying with any of the directives within the date specified therein, or within three days, if no date is specified, or fails to satisfy the Department of Health Officer that the nuisance is not likely to reoccur on the same premises, the Officer shall initiate or cause to be initiated necessary proceedings in a court of competent jurisdiction.
 - (4) If such court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the court shall make an order requiring the person in default to comply with all or any of the directives of the notice, or otherwise to abate the nuisance within the time specified in the order or such time as the Court may deem sufficient, or an order prohibiting recurrence of the nuisance.
 8. (1) Whoever disobeys an order requiring abatement or prohibiting the recurrence of a nuisance shall, if he fails to satisfy the Court that he has used all due diligence to carry out the order, be liable to a fine and in the case of a continuing offence to a further penalty not exceeding 10 penalty units for each day the offence continues after written notice of the offence has been served on the offender, his agent or Penalty

servant.

- (2) Whoever acts knowingly and willfully contrary to an order of prohibition shall be liable to a fine not exceeding 100 penalty units and in the case of a continuing offence to a further penalty of 10 penalty units for each day after written notice of the offence has been served on the offender, his agent or servant.
 - (3) The Department of Health Officer or his assistants may enter the premises to which the order relates and abate the nuisance and do whatever may be necessary in execution of the order and may recover by a civil action the expenses incurred as a civil debt from the person against whom the order is made.
9. (1) Where the person by whose act or default the nuisance has arisen, or the owner or occupier of the premises upon which the nuisance exists, is not known or cannot be found, then the necessary work of abating such nuisance may be executed under the authority of the Assembly. Power to abate nuisance where owner, etc.; not-known
- (2) The expenses incurred shall await whoever is subsequently found to be culpable.
10. (1) An Environmental Health Officer or any person or persons authorized by the Director of Health Services together with any assistant or assistants wearing an official badge or token, may enter and inspect any premises at any time between 6.00 a.m. and 6.00 p.m. for the purpose of examining as to the existence or continuance of any nuisance therein or abating it. Inspection of premises and offences
- (2) If admission to premises for any of the purposes mentioned in this Bye-law is refused, the Co-ordinating Director may in writing require the person occupying or having custody of the premises to admit the Department of 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 Co-ordinating Director may authorize the aforesaid persons, or any of them, 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.
 - (c) whoever without lawful justification refuses admission to any Environmental Health Officer or other person as aforesaid, or obstructs or hinders him from making any such entry for inspection or abatement of nuisance commits an offence.
11. (1) For the purpose of this Bye-law, a room, hall or passage: - Overcrowding of premises and offences
- (a) used as a dormitory of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least four hundred and eighty cubic feet of air space for each pupil, any height of over twelve feet being ignored in the calculation;
 - (b) used as a classroom of a school shall be deemed to be so overcrowded as to be injurious to the health of the inmates if it does not provide at least three hundred and sixty cubic feet of air space and thirty-six square feet of floor space for each adult, two children under ten years of age counting as one adult.
- (2) Any owner or occupier of any premises on or within which any over-crowding takes place shall independently of any other liability commit an offence.
- (3) In addition to any powers and facilities provided by this Bye-law or by any other law for the time being in force, for the purpose of ascertaining whether any offence against the provision of this paragraph is being or has been committed in respect of

any building or of any part of a building which is or is suspected by the Health Officer of being or having been so overcrowded as to be injurious to the health of the inmates, it shall be lawful for a magistrate or judge at his discretion, duly receiving a sworn information in that behalf from the District Environmental Health Officer or prosecutor to authorize by an order under his hand two or more officers who shall be named in such order to enter for the purpose aforesaid into such building between the hours of 6.00 a. m. and 6.00 p. m.

- | | |
|---|---|
| <p>12. (1) Where any Environmental Health Officer considers that the cleansing and disinfecting of any house or part thereof or of any articles there would prevent or check infectious diseases, it shall be his duty to give notice to the occupier or owner requiring him to cleanse and disinfect such house or part of it or articles there or thereabout.</p> <p>(2) If the person to whom such notice is given fails to comply with it he shall be liable to a fine of 100 penalty units and 10 penalty units for everyday during which he continues to make default, and the Department of Health Officer may cause such house or part thereof and articles therein to be cleansed and disinfected and may recover the expenses from the occupier or owner in default as a civil debt.</p> | <p>Notice to cleanse and disinfect infected premises and penalty.</p> |
| <p>13. (1) Whoever knowingly lets, either for hire or otherwise, any house, room or part of a house in which any person has been suffering from any dangerous or infectious disorder without having such house, room or part thereof and all articles therein, properly disinfected to the satisfaction of the Environmental Health officer commits an offence.</p> <p>(2) For the purpose of this paragraph, the keeper of any boarding house, hostel or hotel shall be deemed to let for hire part of the house to any person admitted as a guest or visitor into such boarding house, hostel or hotel.</p> | <p>Letting out infected Premises.</p> |
| <p>14. Without prejudice to the foregoing a person commits an offence who,</p> <p>(1) while suffering from any dangerous infectious disorder, willfully exposes himself without proper precautions against spreading the disorder in any street, public place, shop, boarding house, room, hall, passage, hostel, hotel or public conveyance;</p> <p>(2) being in charge of any person so suffering thereby exposes such person;</p> <p>(3) gives, lends, sells, transmits, or exposes without previous disinfection any bedding, clothes, or things which have been exposed to infection from such disorder;</p> <p>(4) being in charge of a public conveyance fails to provide for its disinfection after it has been used to convey any person suffering from a dangerous infectious disorder, or</p> <p>(5) Willfully disobeys or obstructs the execution of any order made under this Bye-law.</p> | <p>Exposure of infected persons or things</p> |
| <p>15. Where any suitable hospital or place for the reception of the sick is provided, any person who is suffering from any dangerous infectious disorder, and is without proper lodging or accommodation or is lodging in a house so overcrowded that, in the opinion of the Environmental Health Officer, his continuance lodging therein is likely to lead to the spread of the disorder, may with the consent of the superintending authority of such hospital or place be removed thereto by an order of a court.</p> | <p>Order for removal of infected person.</p> |
| <p>16. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.</p> | <p>General Penalty</p> |
| <p>17. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence.</p> | <p>Civil action.</p> |
| <p>18. In this Bye-law, unless the context otherwise requires: "the Department of Health" includes the Environmental Health Officer and any authorized Officer of the Department of Health; "house" includes any school;</p> <p>"nuisance" means anything or act which is injurious or likely to be injurious to the health of any person(s) or animal(s) and which act can be abated by the Assembly or by any</p> | <p>Interpretation</p> |

person whose act or omission to act causes it.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Solid and Liquid Waste Management) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Solid and Liquid Waste Management) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”).

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|----|---|---|
| 1. | The Assembly and/or its registered agents or contractors shall be exclusively responsible for the management of both solid and liquid wastes within the entire administrative area of the Assembly | Ownership of Waste. |
| | Every individual living in the area of authority of the Assembly has a right to | Rights |
| | (1) air free of emissions from solid and liquid waste | |
| | (2) water free of sewage | |
| | (3) soil free of over flowing sewerage systems | |
| | (4) ground water free of direct or indirect percolation of liquid waste, and | |
| | (5) bring action without the necessary standing to sue or of being directly affected as an aggrieved person for water, air, soil or sub soil pollution | |
| 2. | (1) Every household, industry, office and other premises within the Municipality shall be responsible for making its solid and liquid waste available to the Assembly or its authorized agents or contractors for disposal as deemed appropriate in the circumstances. | Responsibility for and Disposal of waste. |
| | (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 made available by owners or occupiers of premises shall be collected, treated and disposed of at designated sites or given to competent interested persons to be recycled or managed | Waste Management |
| 4. | All occupiers or owners of premises with the exception of household premises shall designate a member of their staff to be directly responsible in all matters relating to waste management and shall liaise with the Assembly or its contractors or authorized agents in that regard. | Liaison with Assembly |
| 5. | Owners or occupiers of premises shall be responsible for the provision of containers that will be used in storing solid and liquid waste within the premises in consonance with specifications approved the Assembly. | Waste containers. |
| 6. | (1) Where use of pan latrine in the Municipality is not prohibited any pan latrine used shall be equipped with galvanized waste container in accordance with the standard prescribed by the Assembly and the user shall be mindful of the laws of nuisance and negligence. | Pan latrine. |
| | (2) The owner or occupier of premises where pan latrine is used shall register such facility with the Assembly or its authorized agents or contractors. | |
| | (3) It shall be the responsibility of the Assembly or its authorized agents or contractors to empty the contents of pan latrines, treat and dispose of it at sites designated by the Assembly the contents of pan latrine, treat and dispose of it at sites designated by the Assembly. | |

7. The Assembly shall impose prescribed fees on an owner or occupier of premises where acts for the disposal of liquid or solid waste take place and any such fees may be reviewed from time to time Fees.
8. No person shall defecate or urinate in any public or open place other than in an approved facility. Defecation in public places
9. A person commits an offence, who: Offences.
- (1) fails to provide a standard container for waste storage as prescribed by the Assembly or
 - (2) receives services from unauthorized person(s) or uses unauthorized containers; or
 - (3) refuses to allow the Assembly or its authorized agents or contractors to collect solid or liquid wastes from premises;
 - (4) fails or refuses to pay prescribed fees for waste management services; or
 - (5) uses pan latrine where it is prohibited; or
 - (6) 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; or
 - (7) indiscriminately dumps, disposes of and/or discharges solid or liquid waste in open spaces, drains, gutters, behind walls, or burns solid waste in one's compound; or elsewhere, or
 - (8) defecates or urinates anywhere other than in a public toilet or urinal; or
 - (9) without prior approval of the Assembly recycles waste; or
 - (10) upon demand by the Assembly or its authorized agents on discovery of any nuisance fails and/or refuses to assist the assembly in its enquiry; or
 - (11) causes or is likely to cause blockage of flow into a public drain resulting in stagnation of the flow, or
 - (12) connects drains in his premises to a public drain without prior authorization by Assembly; or
 - (13) does any act or omits to do any act in contravention of any of the provisions of this Bye-law
10. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding two years or to both. Penalty
11. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
12. In this Bye-law, unless the context otherwise requires: - Interpretation.
- “District Court” means Court in the area of authority of the Assembly or Circuit Court in any part of the Western Region;
- “Liquid waste” means night soil, seepage and effluent from septic tank or pit;
- “Person” means both legal and natural persons;
- “Solid waste” means refuse, rubbish and garbage;

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Noise Pollution) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Noise Pollution) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”)

- | | |
|--|----------------|
| <p>1. The Assembly is under a statutory duty to set up necessary mechanisms to</p> <ul style="list-style-type: none"> (1) regulate noise pollution (2) regulate noise pollution emitted from or caused by motor vehicles, (3) Machinery or equipment in street or off street. (4) Generally to regulate activities that create or can create unwanted or harmful prolonged or excessive exposure to noise pollution. (5) Fix permissible ambient noise levels. (6) formulate programs, policies and measures necessary to control noise pollution (7) Co-ordinate the activities of individuals, groups, communities and non-governmental organizations that are interested in the problems of noise pollution. (8) help in the education of the public as to the hazards posed by noise pollution | Statutory duty |
| <p>2. Any person in the area of authority of this Assembly shall have right to;</p> <ul style="list-style-type: none"> (1) live in a safe and healthy environment not deeply altered by noise pollution. (2) require the Assembly to take necessary steps to prevent noise polluted environment. (3) initiate action in a court of competent jurisdiction or in an administrative body with a duty to act judicially (4) participate in the formulation of policies, regulations and programs relating to noise pollution (5) commence action in respect of noise pollution without the necessary of capacity to sue or being directly affected as aggrieved person. (6) Any person whose noise polluting activity causes harm to another or others or makes another to hear anything against his will may be defendant or respondent in an environmental litigation based on tort/derelict or private interest litigation or enforcement of constitutional rights (7) Any such person shall have locus standi to commence any action in so far as relates to noise pollution without the necessary of having personally experience distinct harm traceable to the conduct of the noise polluter. | Rights |
| <p>3. (1) Any non-governmental organization (NGOs) dedicated to the rights of the inhabitants to unpolluted noise may initiate a public interest litigation.</p> <p>(2) Any non- governmental organization with interest in the collection of scientific, technical and other data relating to noise pollution, noise control and enforcement of ambient noise levels which data are readily made available to the Assembly shall thereby have locus standi to sue in a cause or matter relating to noise pollution.</p> | NGOs |
| <p>4. (1) No person in the area of authority of the Assembly shall generate noise beyond the permissible ambient levels as provided in the Schedule.</p> <p>(2) Any person desirous of undertaking activity that falls within or that is of the nature of the activities described in section 7 of this Bye-law shall not do so without first having obtained from the Assembly a license.</p> <p>(3) There shall be payable in respect of any such license a fee specified in a fee fixing resolution of any particular year.</p> | Prohibition |

- (4) No expectation of obtaining a license shall confer any enforceable legal rights.
- (5) Any person who knowingly obstructs or interferes with an officer of the Assembly in the discharge of his duties in connection with noise pollution commits an offence
5. The Assembly shall have a Zero Noise Pollution Week as an annual event to Zero noise pollution week
- (a) project noise pollution as a serious social nuisance and health hazard to sustain public concern over noise control
- (b) deliberate over existing and emerging challenges
- (c) evaluate the effectiveness of the regulatory and enforcement mechanisms
- (d) sustain public involvement in the formulation of plans and programs to deal with noise pollution
- (e) assess the appropriateness of defined maximum noise levels; and
- (f) deliberate over what the individual can do to minimize noise pollution.
6. (1) There shall be public officers appointed by the Attorney -General by executive instrument to be public prosecutors for the Assembly Public Prosecutors
- (2) The public prosecutors so appointed may appear and plead before a court of competent jurisdiction in any cause or matter relating to noise pollution.
- (3) A person appointed as a public prosecutor who is a qualified legal practitioner may initiate or intervene in prosecutions being pursued by any other public prosecutor.
7. (1) The remedies sought by an aggrieved person shall include but not limited to the following Remedies/ Penalty
- (a) the equitable remedy of injunction where the noise pollution is on-going; and
- (b) personal injury damages.
- (2) Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.
- (3) Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
8. In this Bye-law unless the context otherwise requires; “noise pollution” means sound that is unwanted, unwarranted, harmful, disordered and irregular created by human activities. Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

SCHEDULE
Section 5(1)
TARKWA NSUAEM MUNICIPAL ASSEMBLY
NOISE POLLUTION

ZONE	DESCRIPTION OF AREA OF NOISE RECEPTION	PERMISSIBLE NOISE LEVEL IN dB (A)	
		6am – 10pm	10pm – 6am
A	Residential areas with negligible or infrequent transportation	55	48
B1	Educational(school) and health(hospital clinic) facilities	55	50
B2	Area with some commercial or light industry	60	55
C1	Area with some light industry, place of entertainment or public assembly and place 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

Noise that emanates from the following things or activities or operations may generate or threaten noise pollution.

1. traffic congestion
2. blowing of siren and horn
3. hawkers
4. lorry parks
5. markets
6. blasting
7. printing
8. social gathering
9. equipment
10. plant
11. machinery
12. musical instruments
13. fireworks
14. street jams
15. funeral celebrations
16. night club
17. alcoholic beverage retail outlets
18. entertainments
19. radio
20. construction activity
21. engine combustion and
22. Public announcement systems,
23. related, incidental activities or similar activities

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Carts, Trucks and Wagons) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Carts, Trucks and Wagons) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”)

1. The owner or any person in possession of any cart, truck, wagon or any other vehicle not Vehicle to be

motorized and primarily used to convey goods, whether four-wheeled, three-wheeled or two-wheeled shall pay a prescribed fee for a license and every such license shall be in the form contained in the Schedule to this Bye-law. licensed.

2. (1) No license shall be issued hereunder in respect of any vehicle which, on inspection by the Mechanical Plant Engineer or any person authorized by the Assembly in that behalf, is in such a condition as to be a danger to the public. Inspection
- (2) The Engineer or any such other person may at any time examine any vehicle in respect of which a license has been issued.
3. If in the opinion of an Engineer or any person authorized by the Assembly in that behalf a vehicle is deemed to be in such a condition as to endanger persons or property he may prohibit the further use of the vehicle until he is satisfied that the vehicle is no longer in that condition. Prohibition of vehicle.
4. Each vehicle for which a license is issued under this Bye-law shall have affixed thereto a number plate or number assigned to it on payment of a fee prescribed by the Assembly. Display of number plate.
5. The license referred to in this Bye-law 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. Duration of license.
6. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
7. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SCHEDULE

(Section 2)

TARKWA NSUAEM MUNICIPAL ASSEMBLY VEHICLE HAND-CART / TRUCK / WAGON LICENCE (Yearly / Half-yearly)

LICENCE is hereby granted to.....to keep and use a Hand-cart/Truck/Wagon (delete where inapplicable) until the day of 20.....

Fee Paid GH¢.....

Dated this.....day of 20.....

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Cycles) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Cycles) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title.

1. Every person has constitutional and common law right to own, possess or use a cycle or deal in cycles as business Rights.
2. Every person who owns a cycle within the area of authority of the Assembly shall obtain from the Assembly in respect of that cycle a license herein referred to as a 'Cycle License' Cycle
3. (1) Every person who lets out a cycle on hire shall take out a license for the purpose and pay a fee prescribed by the Assembly. Hiring of cycles.

- (2) Every such licensee shall be required to operate in accordance with conditions specified by the Assembly for the operation of such business.
4. (1) A cycle license shall be valid as from the date of issue until 31st day of December each year License
- (2) A cycle license shall be in such form as the Assembly may determine
- (3) The Assembly shall keep a register of all such licenses issued by it and shall specify in the register the name and place of abode of every person to whom a cycle license has been issued.
5. For the purpose of this Bye-law, any person in whose custody, charge or possession or in whose house or premises a cycle is found or seen shall, unless the contrary is proved by him, be deemed to be the person who owns such cycle unless the contrary is proved. Owner of cycle
6. It shall be the duty of every person who has a cycle license to produce and deliver it for examination by either a police officer or an authorized officer of the Assembly who so demands. License to be produced on demand
- 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. Inspection
7. Any person to whom a cycle license has been issued shall while the license remains in force keep on the cycle a badge for a fee and of a type approved by the Assembly for use during the year in which the license was issued. Badges
8. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
10. In this Bye-law, unless the context otherwise requires “Cycle” means mechanically operated cycle, bicycle and tricycle, or motor bicycle or tricycle. Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Taxis) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Taxis) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). Title.

Part 1 – LICENSING AUTHORITY

2. The Assembly is the licensing authority for Taxis operating in the Municipal and shall:- Licensing Authority
- (1) prohibit or restrict the driving on a specified roads or specified direction
- (2) regulate the use and conduct of taxis
- (3) provide for the identification of taxis

- (4) license taxis and prescribe fees to be paid
- (5) establish, maintain and control parks for taxis

PART II – TAXI LICENCE

- | | | |
|----|---|-----------------------------|
| 3. | No person shall allow, cause or permit any motor vehicle to be used as a taxi within the area of the authority of the Assembly unless in addition to being licensed under the Motor Traffic Ordinances or laws it has been licensed for use as a taxi or commercial vehicle under this Bye-law. | License |
| 4. | Every application for a taxi license or a commercial vehicle license shall be made to the Licensing Authority on the form prescribed in the First Schedule which may be obtained from the Licensing Officer at a specified fee and shall be signed by the owner of the vehicle or where the vehicle is in joint ownership by one of the owners or where the owner is a partnership or company by the senior partner or the secretary or the manager or other duly authorized officer of the company as the case may be on its behalf. | Application form. |
| 5. | <p>(1) The Licensing Officer shall make such enquiries into the applicant's criminal record and other circumstances as he may think fit and may refuse to grant such license if he is satisfied:</p> <p>(2) that the applicant has been convicted of any indictable offence or any offence involving dishonesty; or</p> <p>(3) that the vehicle in respect of which the application is made does not conform to the required conditions of mechanical or functional fitness as laid down by the Examining Officer.</p> <p>(4) that the history of the vehicle does not warrant the benefits of a license.</p> | Refusal of grant of license |

PART III – TAXI DRIVER'S LICENCE

- | | | |
|-----|---|----------------------|
| 6. | A taxi driver's license shall not be granted to any person under the statutory age for the time being in force and if so granted to any person under that age shall be void. | Age limit. |
| 7. | No person shall drive any taxi when it is plying for hire or conveying any goods or passengers unless he holds a taxi driver's license. | License |
| 8. | Every applicant for a taxi driver's license shall apply to the Licensing Authority on the form prescribed in the Schedule and provide adequate proof to a committee appointed by the Assembly for the purpose that he has sufficient knowledge of the Assembly and the provisions of this Bye-law. | Application form. |
| 9. | <p>(1) There shall be a Licensing Committee: who shall recommend the grant of Taxi Drivers License</p> <p>(2) The Licensing Committee shall meet as often as necessary at such time and place as shall be specified by the Licensing Officer.</p> <p>(3) The Licensing Committee shall be chaired the Head of the Guards unit.</p> <p>(4) The Licensing Committee may refuse to approve the grant of a taxi driver's license to any applicant and endorse its refusal on the application form if it is satisfied that the applicant is not of good character or has insufficient knowledge of the Assembly or of the provisions of this Bye-law.</p> <p>(5) No taxi driver's license shall be granted to any person who is not in possession of a current valid professional driving license issued by the Driver & Vehicle Licensing Authority authorizing him to drive motor vehicles of the class used as taxis and any taxi driver's license issued hereunder shall be void if the holder thereof ceases to hold a current valid professional driving license.</p> <p>(6) If the Committee on the other hand is satisfied, it shall approve the grant of a license and the Licensing Officer shall accordingly issue the license to the applicant as a matter of course as prescribed in the Second Schedule and forth schedule</p> | Licensing committee |
| 10. | Every taxi driver's license shall be in such form as prescribed in the Fourth Schedule hereto and shall, unless sooner revoked or suspended, be in force for a period of one | Form and duration of |

calendar year from the date of issue subject to its subsequent renewal.

license.

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

12. A holder of a taxi driver's license who fails to stop or fails to produce his license when so demanded by a member of the Guard Unit or a duly authorized officer of the Assembly or fails to report at the Guard's offices when so demanded by a member of the Guard Unit or a duly authorized officer of the Assembly, commits an offence. Offence

PART IV – MISCELLANEOUS

13. (1) No person, including the driver, shall be carried on any taxi in excess of the number of persons which it is licensed to carry, provided that, in computing such number, an infant in arms shall not count as a person. Carriage capacity prohibitions

- (2) Not more than one person additional to the driver shall occupy the front apartment of any taxi, and in any event no luggage shall be carried in the front part of the taxi and an infant shall not be in the arms of any person occupying the front apartment.

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

15. (1) The fare payable for the hire or use of a taxi shall be in accordance with the rates fixed by the body with such a responsibility Fare

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

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

17. (1) Any person who finds any item or property left in a taxi shall immediately hand it over to the driver. Lost item.

- (2) Any driver who finds any item or property left in a taxi or to whom any such property is handed shall within one hour, deposit any such item or property at the offices of the Guards Unit in the state in which it was found or handed to him and shall truly state the particulars of such finding; provided that if such property is sooner claimed by the owner thereof and satisfactory proof of ownership is given, it shall be restored to the owner forthwith.

18. (1) A person who drives or is in control of a vehicle without a Taxi license or license; Offences

- (2) Any driver who carries persons in excess of the authorized number;

- (3) Any person who voluntarily joins a vehicle thereby causing carriage of persons in excess of the authorized or permitted number;

- (4) Any driver who permits a person to sit on the front seat of his vehicle with an infant in his or her arms;

- (5) Any driver who fails to provide a functional and safe seat belt, or at all;

- (6) Any driver who loiters whilst in charge of a vehicle

- (7) Any person who fails to use a seat belt provided in the vehicle, commits an offence.

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

- (2) Any owner of or person in control of a Taxi who:-

- (a) pollutes the air; or
- (b) causes noise pollution; or
- (c) contaminates or discharges anything into waterways; or
- (d) destroys or disturbs wildlife or habitats; or
- (e) contributes to climate change; or
- (f) causes any negative impact on human health, agricultural crops and buildings, directly or indirectly; or
- (g) causes public nuisance commits an offence.

20. Any person who contravenes any of the provisions of this Bye-law shall on summary conviction be liable to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Penalty
21. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.
22. In this Bye-law, unless the context otherwise requires: Interpretation
- “Licensing Officer” means a person described by a Licensing Authority for the granting of such license;
- “Licensing Authority” means either the Licensing Officer or any person so authorized by the Assembly;
- “Loiter” means to proceed in a street at a slower speed than that which other passenger vehicles would normally be driving in the same street at the same time;
- “Public way” includes any highway, market place, Lorry Park, square, street, bridge or any other way which is lawfully used by the public;
- “Taxi” means any motor vehicle designated or constructed to carry not more than five persons used or intended to be used for carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole or for a fixed or agreed consideration;
- “Taxi driver’s license” means a license granted in accordance with this Bye-law.
- “Taxi rank” means any place designated by the Assembly as a standing place for taxis awaiting hire.
- “Officer of the Assembly” means the Chief Executive, Co-ordinating Director/ Secretary, Works Engineer, Finance Officer, Prosecutors and Guards.
- “Air pollution” means the introduction by man, directly or indirectly, of substances or energy into the air, resulting in deleterious effects of such a nature as to endanger human health, harm living resources and ecosystems and material property, and impair or interfere with amenities and other legitimate use of the environment.
- “Noise pollution” means any unwarranted or harmful sound created by the use of taxi vehicle.
- “Spot fine” means instant fine imposed there and then.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

APPLICATION FORM FOR TAXI LICENCE

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

A. Particulars of Applicant/Owner B. Particulars of Partnership/Company

Name:	Name:
Address:	Address of Head Office:
Nationality:
Age:	Address of Local Office:
Profession:
Voter's Registration No.....	National Identity No.....

C. Particulars of Vehicle:**D. Particulars of Insurance Policy/Cover Note**

Brand:	Insurer:
Type:	Policy/Cover Note No:
H. P.	Certificate No:
Colour:	Date of Issue:

Index No: Date of Expiry:

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

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

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

Date: Licensing Officer/ Co-ordinating Director,

Approval is hereby given for the issue of a Taxi License to inspected of Vehicle Index No..... for the carriage of persons.

Date: Examining Officer.....

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

SECOND SCHEDULE

(Section 9 (6))

TARKWA NSUAEM MUNICIPAL ASSEMBLY
TAXI LICENCE

Licence No.Sticker No.....

I, Licensing Officer of the Tarkwa Nsuaem Municipal Assembly Licensing Committee authorized to grant Taxi/Commercial Vehicle License under the Tarkwa Nsuaem Municipal Assembly (Control of Taxi) Bye-law, 2014, hereby grant to a **Taxi License** in respect of the Taxi with Index No.....permitting such vehicle to operate within the area of jurisdiction of the Assembly.

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

(i) Tarkwa Nsuaem Municipal Assembly (Control of Taxi) Bye-law, 2014.

(ii) All ordinances, rules, regulations and other laws relating to taxis for the time being in force.

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

Date: Licensing Officer.....

THIRD SCHEDULE

(Section 8)

TARKWA NSUAEM MUNICIPAL ASSEMBLY
APPLICATION FORM FOR TAXI LICENCE

I, hereby apply for a Taxi Driver's License.

PARTICULARS OF APPLICANT

Name:	Height:
Mailing Address:	Eyes:
Residential Address:	Mouth:
Date of Birth:	Nose:
Profession:	Complexion:
Driving License Number:	Peculiarities:

.....

Right Thumbprint

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

Signature of Applicant

Date:

FOR OFFICE USE ONLY:

Approval is hereby given for the issue of a Taxi Driver's License to the Applicant whose description appears above.

Date:

for: Licensing Committee

Taxi Driver's License No. is hereby granted to accordingly.

Date: Licensing Officer

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

FOURTH SCHEDULE

(Section 9(6))

(CONTROL OF TAXI) BYE-LAW, 2014

TAXI DRIVER'S LICENCE

License No.

I, Municipal Co-ordinating Director/Secretary of the Tarkwa Nsuaem Municipal Assembly authorized to grant Taxi Driver's License under the Tarkwa Nsuaem Municipal Assembly (Control of Taxi) Bye-law, 2010, hereby grant to a Taxi Driver's License permitting him to drive a taxi within the area of jurisdiction of the Assembly.

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

- (a) The Tarkwa Nsuaem Municipal Assembly (Control of Taxi) Bye-law, 2010.
- (b) All Ordinances, rules and regulations relating to taxis for the time being in force.
- (c) The recommendation of the Licensing Committee of the Assembly.

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

Fee Paid: GH¢ Date:

SIGNED / STAMP

JOSEPH ABAN-MENSAH

SIGNED/ STAMP

PETER KWESI THOMPSON

Tarkwa Nsuaem Municipal Assembly (Control of Mills) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Mills) Bye law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | <p>(1) No person shall be permitted to keep a mill within the area of authority of the Assembly unless he/ she shall have obtained an approved permit for the site and secured a license from the Assembly</p> <p>(2) The license shall be valid for six months or one year as the Assembly may determine and shall take effect from the day on which it is granted.</p> <p>(3) The fee payable to the Assembly for any license issued under the foregoing provision shall be an amount fixed by a resolution of the Assembly.</p> | Permit for site license and fees. |
| 3. | <p>(1) Any room used as a mill shall not be less than 4.572 metres long and 3.656 metres wide and no part of any such room shall be less than 3.048 metres high.</p> <p>(2) The floor of every mill shall be of concrete or other impervious material and the walls shall be capable of being washed and be kept clean at all times.</p> <p>(3) 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.</p> | Particulars of premises |
| 4. | In every mill, good drinking water as approved by the Director of Health Services or his \Representative shall be used and the basin for mixing the flour shall be thoroughly washed with clean water after use. | Water. |
| 5. | <p>(1) Not more than three persons shall be allowed in the room and ante-room shall be provided to accommodate not less than five customers at a time.</p> <p>(2) Children under the age of ten shall not be allowed to enter a mill.</p> | Allowable persons. |
| 6. | <p>(1) No proprietor of a mill or person in charge thereof shall allow any person suffering from an Infectious or contagious disease to take part in the grinding or the milling of flour or acts incidental and consequential thereof.</p> <p>(2) All persons working at a mill shall be required to undergo medical examination at a recognized health institution at least once every year and shall obtain proof thereof</p> | Infected persons. |
| 7. | No premises used as a mill shall also be used as a living or sleeping room. | Use of rooms. |
| 8. | No person shall obstruct or resist or mislead or bribe any officer or other persons appointed by the Assembly acting or purporting to act in the performance of any duties relating to the purposes of this Bye-law | Obstruction |
| 9. | The Assembly may withdraw any license issued under this Bye-law if any alteration is made to any approved building after the license had been granted | Withdrawal of license |
| 10. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both. | Penalty |
| 11. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |
| 12. | <p>In this Bye-law, unless the context otherwise requires: -</p> <p>“mill” means any building fitted with machinery however propelled for the purpose of grinding corn, coconut, palm nut, cassava or others where wheat or flour is milled;</p> | Interpretation |

“license” includes an official receipt.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Bakeries) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Bakeries) Bye-law. 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | <p>(1) No premises shall be used or offered for the preparation or baking of bread for sale unless the premises has been approved and an appropriate license issued by the Assembly in the form set out in the schedule hereto</p> <p>(2) The fees payable for every license (given in the form prescribed in the Schedule) issued under this Bye-law shall be fixed by a resolution of the Assembly.</p> | <p>Bakeries to be licensed</p> <p>Fees</p> |
| 3. | <p>No premises shall be licensed for the preparation or baking of bread for sale unless the following conditions are satisfied:</p> <p>(1) Provision of separate and suitable rooms for:</p> <p style="margin-left: 40px;">(a) The storage of flour and other materials.</p> <p style="margin-left: 40px;">(b) the mixing and kneading of flour and other materials and any necessary temporary storage of any bread mixture; and</p> <p style="margin-left: 40px;">(c) the storage of finished bread or other products of bakery;</p> <p>(2) Rooms used for storage shall be pest-proof, and adequately lighted and ventilated;</p> <p>(3) All materials stored in the rooms shall be kept from contact with the floor and walls and nothing shall be stored in any room that is not directly connected with the needs of bakery;</p> <p>(4) Sufficient shelves, benches or tables for storage or display or sale of bread shall be provided;</p> <p>(5) Bread stored or offered for sale shall be protected from contamination in a manner prescribed by the Department of Health.</p> | <p>Conditions for approval.</p> |
| 4. | <p>(1) No room in the bakery shall be used as a living or sleeping room or for any purpose not directly connected with the baking of bread.</p> <p>(2) Smoking of cigarette or other narcotic drugs is prohibited in the bakery.</p> | <p>Prohibition of sleeping or smoking</p> |
| 5. | <p>(1) Suitable sanitary facilities shall be provided for the use of persons employed in the bakery and there shall be facilities for the washing of hands</p> <p>(2) Persons employed in the mixing and kneading rooms shall be supplied with quality gloves, aprons or overalls capable of being washed.</p> <p>(3) There shall be suitable and adequate arrangements for the disposal of refuse</p> | <p>Sanitation.</p> |
| 6. | <p>(1) Any person suffering from any infectious disease or who has a wound on any parts of the body discharging ears or suffers from attacks of diarrhea or vomiting shall not take part in the preparation or handling of bread or flour or other materials used in the bakery.</p> <p>(2) The owner of the bakery shall ensure that all persons engaged in the preparation or handling or flour or other materials used in the bakery are medically examined and certified to be fit to be so engaged by an Officer of Health Services at least once</p> | <p>Infectious disease, wounds, etc.</p> |

every year.

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|-----|--|------------------------|
| 7. | The Officer of Health Services or such other person as may be duly authorized shall have power to enter any bakery for the purpose of inspection at any reasonable time of the day, and any person who obstructs such an officer commits an offence. | Inspection. |
| 8. | The Assembly may revoke any license granted under this Bye-law if any alteration is made to any premises licensed after the grant or if the holder of the license is convicted of any offence under this Bye-law. | Revocation of license. |
| 9. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of imprisonment not exceeding six months or to both. | Penalty |
| 10. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |
| 11. | In this Bye-law unless the context otherwise requires: “flour” means wheaten flour and flour containing no wheaten substances such as cassava or maize; “bread” includes loaves, rolls, cakes, pastries and biscuits. | Interpretation . |

SCHEDULE

(Section 2(2))

TARKWA NSUAEM MUNICIPAL ASSEMBLY LICENCE TO KEEP A BAKERY

LICENCE is hereby granted to.....
of House No..... to keep a bakery on the aforesaid premises or at
House No..... until the day of 20.....
Fee Paid GH¢.....

Date.....
Municipal Co-ordinating Director/Secretary

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Poultry in Dwelling Houses) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Poultry in Dwelling Houses) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”)

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|----|---|-------------------------------------|
| 1. | (1) No person shall rear poultry for sale in any dwelling house without first obtaining a permit from the Assembly. | Title. |
| | (2) Subject to the other provisions of this Bye-law, the maximum number of poultry that may be kept in a dwelling house within the administrative area of the Assembly shall be 200 birds, but the number may be increased with the written consent of the Department of Health having regard to all the circumstances. | Poultry keeping in dwelling houses. |
| 2. | (1) Poultry shall be kept only in deep-litter or battery cage or in any other suitable house in the floor of which shall be strewn with a suitable absorbent material such as sawdust or wood shaving to keep down the offensive smell of droppings. | Housing of Poultry/Liter |

- (2) Litter or droppings cleared from cages or other structures housing poultry shall be disposed of in accordance with the laws governing sanitation in the Municipality and in such manner as the Department of Health shall from time to time by notice direct, provided that such litter or droppings shall not be disposed of in such manner as shall constitute a nuisance to others.
3. The owner or keeper of poultry for sale shall not allow his birds to roam outside his compound or to stray into the land or homes of other residents. Roaming not allowed
4. (1) It shall be lawful for any Health Officer, servant or agent of the Assembly to impound any stray birds Impound of stray poultry.
(2) Impounded birds shall be disposed of in such manner as the Department of Health may direct.
5. It shall be lawful for an officer of the Assembly or any Health, Veterinary or Animal Husbandry Officer to enter any land in which poultry are kept or in which he has reason to believe that poultry are being kept so as: Power of Health officer, etc.
(1) to advise on or enforce any sanitary regulations;
(2) to prevent or minimize the spread of livestock disease particularly those communicable to Persons
(3) investigate the conditions under which poultry are being kept; or
(4) Ensure compliance with this Bye-law.
6. Any Health, Veterinary or Animal Husbandry Officer undertaking the inspection mentioned in the foregoing paragraph shall report his findings to the Director of Health Services for necessary action. Officer to report.
7. No person shall obstruct, bribe or attempt to bribe or mislead or resist any officer or other person appointed by the Assembly who is acting in the performance of any duties relating to any of the purposes of this Bye-law. Obstruction
8. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Growing and Sale of Vegetables) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Growing and Sale of (Vegetables) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title

1. (1) No crops or vegetables shall be watered with or irrigated by the effluent from any drain, premises, or surface water drain or waste water from any street or road. Watering and irrigation.
(2) No such activity shall use contaminated or polluted water body or land or soil believed to be Contaminated
2. No person who is suffering from a discharging wound, sores on the arms or legs or from any symptoms of infectious disease shall take part in the growing or sale of vegetables Infected persons
3. The Department of Health or any person authorized by the Assembly shall prohibit the Prohibition

sale of vegetables in any solid or liquid waste area or cultivated in such an area.

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|----|---|----------------|
| 4. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty |
| 5. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any other action that the Assembly or its prosecutors may commence. | Other action |
| 6. | In this Bye-law, unless the context otherwise requires: Vegetables” include lettuce, tomatoes, pepper, radishes, onions, cucumber, water melon and any other vegetables likely to be consumed in an uncooked state; | Interpretation |

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Fireworks) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Fireworks) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”).

- | | | |
|----|--|--------------------------|
| 1. | No person shall sell fireworks either on wholesale or retail within the Assembly without first having taken out a license from the Assembly for that purpose for any particular year. | License |
| 2. | No person shall notwithstanding the grant of a license by the Assembly sell or offer for sale any of the following prohibited fireworks:-
(1) fire crackers (knock-outs);
(2) display shells;
(3) artillery shells;
(4) ball and canister shells; and
(5) any firework that may cause panic, shock, harm or nuisance or noise pollution | fireworks
Prohibition |
| 3. | (1) No fireworks shall be sold to a child under sixteen years of age
(2) The seller of fireworks to any child shall be vicariously liable for any damage or injury caused by the operation of the firework. | Vicarious
liability. |
| 4. | (1) No person shall sell or offer for sale any fireworks that:
(a) does not have the country of manufacture or origin clearly shown;
(b) does not state the level of risk
(c) has not been approved for sale or distribution in the Municipality by the Justice and Security Sub-Committee;
(d) is outlawed, or was smuggled into the country. | Prohibited
activities |
| 5. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both | Penalty |
| 6. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |

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

“fireworks” means devices which give spectacular effects by use of combustibles;

“prohibited fireworks” include fireworks outlawed by the Public Order (Prohibition of Specified Explosives) Instrument, 1999 (E. I. 21) and other enactments currently in force.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Use and Control of Public Roads) Bye-law 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | |
|--|---------------------------------------|
| 1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Use of Public Roads) Bye law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly hereinafter referred to as “The Assembly | Title. |
| 2. The Assembly shall:- | Authority over roads and use of roads |
| (1) Ensure construction, repair, maintenance and keeping clean all roads in the Municipality. | |
| (2) Prohibit or restrict the driving of vehicles on specified roads and directions | |
| (3) Regulate the use and conduct of public vehicles, on any road | |
| (4) Divert or alter where necessary the course of any road | |
| 3. No driver of a heavy-duty vehicle shall park his vehicle on any road or at any place within Municipality except in areas specified and declared by the Assembly to be parking areas for such vehicles. | Unauthorized parking. |
| 4. (1) No driver or person in charge of a car, van, bus, truck or other vehicle shall wash or clean such vehicle on any public road or riverside within the area of authority of the Assembly | Washing prohibited |
| (2) Washing of vehicles shall be undertaken in such fuel stations and garages as are equipped and licensed for the purpose or any other place designated by the Assembly. | |
| 5. Every person is entitled to freedom of movement and no person shall in any way or manner prevent or obstruct the use of a public road by any member of the public except as herein contained or as the Assembly shall expressly direct | Obstruction. |
| 6. No person, organization or institution shall dig any trench, man-hole or make any excavation whatsoever in or across any road without the written consent and subject to the conditions imposed by the Engineer and/or the Roads Engineer of the Assembly. | Excavation. |
| 7. There shall be no littering from moving vehicles on public roads and in lorry parks and in the event of such littering, the person in charge of the vehicle may be held responsible unless the contrary is proved | Littering from moving vehicles. |
| 8. All trucks and other vehicles used for the conveyance of refuse, sand, stones, quarry dust, sawdust, wood waste or other such material within the Municipality shall be appropriately covered to prevent such material dropping from or flying off such vehicle | Covering to trucks |
| 9. No person shall repair a broken down vehicle on a public road, or a lorry park, or carriageway, or walkway unless the circumstances so justify | Repairs of vehicles. |
| 10. No person in charge of a vehicle shall stop or park the vehicle at any place other than the authorized parking bays sited along public roads. | Stopping and parking |
| 11. A person commits an offence, who: | Offences. |
| (1) tampers with the road corridor with the aim of reducing the speed of vehicular traffic without prior approval; | |

- (2) obstructs or blocks a public road by any method without permit;
 - (3) tips or dumps construction material, firewood or other such material on the road corridor;
 - (4) sells on or obstructs a walkway or road shoulder;
 - (5) tampers with mounted road signs;
 - (6) damages or causes or permits any vehicle to damage any road or public property;
 - (7) stops or parks a vehicle at a public place other than an authorized lay-by or parking space;
 - (8) parks or abandons a broken down vehicle on any public road or road shoulder
 - (9) contravenes any of the provisions of this Bye-law; or
 - (10) drives his vehicle to cause nuisance, including damage to the environment.
12. (1) Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
- (2) There shall be a further fine of 10 penalty units for each day on which the offence is continued.
13. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil Action
14. In this Bye-law, unless the context otherwise requires: - Interpretation.
- “heavy-duty truck” includes timber trucks, articulated trucks; tipper trucks, tankers, cargo trucks or any haulage trucks.
- “road” means any surface built or meant for vehicles to travel on.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Sale of Meat and Fish) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Sale of Meat and Fish) Bye-law 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. The Assembly shall: Functions of the Assembly
 - (1) regulate any trade or business in meat and fish which may be harmful or injurious to public health or source of danger to the public
 - (2) provide for the inspection of meat and fish whether intended for sale or not, and
 - (3) Seize, destroy or otherwise deal with such meat or fish as are unfit for human consumption.
3. Except under a license duly granted by the Assembly no person shall sell or expose or offer for sale any fresh or frozen meat or fish. License.
4. The fee for a license for sale of fresh fish or meat shall be as specified in a Fee Fixing Resolution the Assembly for the purpose. Fee for a license.

- | | | |
|----|---|------------------------------|
| 5. | No fresh meat shall be sold or otherwise disposed of at any shop, market or other place or distributed for sale or other such purposes unless it is the flesh of animals slaughtered in the Assembly's Slaughter-house or other approved places provided that where the fresh meat duly stamped by a recognized Slaughter-house is brought into its area of authority, the Assembly may allow the sale of the fresh meat on the approval and certification of the Assembly's Department of Health confirming its fitness for human consumption. | Prohibition of sale of meat. |
| 6. | All meat and fish shall be stored in containers approved by the Department of Health or an officer of the Assembly appointed for that purpose. | Storage. |
| 7. | <p>(1) All meat and fish shall be protected against flies and dust</p> <p>(2) No person engaged in the sale of meat and fish shall allow any person suffering from any communicable disease to take part in the business or related activity.</p> <p>(3) The Control of Markets Bye-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.</p> | Protection |
| 8. | Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Offence and Penalty |
| 9. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Herbalists) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Herbalists) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly")

- | | | |
|----|---|-------------------------|
| 1. | No herbalist shall practice within the area of authority of the Assembly unless he/she first registers with the Ghana Psychic and Traditional Healers Association and obtains a license from the Assembly's Director of Health Services in the form as set out in the Schedule hereto. | License |
| 2. | <p>(1) Any accredited person duly authorized by the Assembly to inspect licences of herbalists may request any herbalist to produce such licence for inspection.</p> <p>(2) Any herbalist who fails to produce a licence on lawful demand shall be presumed to hold no such licence</p> | Inspection of licences. |
| 3. | A licence issued pursuant to paragraph 2 of this Bye-law shall be an annual licence renewable at the beginning of every year and shall expire at the end of the year. | Renewal of licence. |
| 4. | The fee payable to the Assembly for any licence shall be as specified in the Fee Fixing Resolution of the Assembly for any particular year. | Fees |
| 5. | Any herbalist whether by himself or his agent or servant commits an offence who. | Offence. |
| | <p>(1) wrongfully claims to be able to cure patients come what may and thereby obtains the consent of one to part with money or other;</p> <p>(2) uses obscene language in the sale of his products;</p> <p>(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;</p> <p>(4) treats a person who cannot understand the nature, purpose and implications of the treatment;</p> <p>(5) claims to be duly registered as a herbalist when that is not true.</p> <p>(6) exploits the religious beliefs or fears of the consumer.</p> <p>(7) proclaims a supernatural power as the instructor of the ingredients of what is for sale; and</p> | |

(8) administers harmful or unwholesome substance to a person.

- | | | |
|----|--|------------------------|
| 6. | Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or both | Penalty. |
| 7. | Where a herbalist has been convicted on more than two occasions for an offence involving dishonesty or moral turpitude, the Assembly may revoke any licence issued under this Bye-law and/or ban the herbalist, his agents, or servants from practicing as a herbalist for such period as it may deem just | Revocation of licence. |
| 8. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |
| 9. | In this Bye-law, unless the context otherwise requires “herbalist” means a person who practices traditional or herbs-based therapeutics and is so duly registered. | Interpretation |

SCHEDULE

(Section 2)

TARKWA NSUAEM MUNICIPAL ASSEMBLY HERBALIST LICENCE

Licence No.

This is to certify that has been granted a licence to practice as a Herbalist within the Municipal for the year commencing

1st January..... and ending 31st December Fee Paid: GH¢ Date of Issue:.....

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Dogs) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|--------------------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Dogs) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | Any person who in the exercise of a right to own property keeps a dog within the area of authority of the Assembly shall obtain from the Veterinary Officer of the Assembly a licence in respect of that dog, except that:-

(1) No dog licence shall be required in respect of a dog under the age of six months;
(2) The Assembly shall issue no dog licence unless the keeper produces a current inoculation certificate in accordance with section 9 of this Bye-law. | Licence |
| 3. | (1) A dog licence shall be valid for one year but the Department of Health of the Assembly may vary the expiry date to coincide with date of the need to repeat inoculation.

(2) The date of expiry shall be endorsed at the back of the licence | Duration of licence. |
| 4. | Any person obtaining a dog licence shall pay in respect thereof a fee specified by a Fee Fixing Resolution of the Assembly for the purpose. | Fee. |
| 5. | A dog licence shall be in the form set out in the Schedule to this Bye-law | Form. |
| 6. | Any person to whom a dog licence has been issued shall while the licence remains in force keep on the dog a metal or plastic badge supplied by the Assembly. | Badge. |
| 7. | (1) Any officer of the Health of Department of the Assembly may duly seize and detain any dog found in any street or public place not wearing a badge or not under the control of any person. | Power to seize and destroy dog |

- (2) Where the owner of the dog is known, the officer shall notify him of the detention. not wearing badge
- (3) Any such dog shall be released to the owner if he produces a licence in respect of such dog and pays the appropriate detention fee for each day that the dog has been in custody.
- (4) When a dog is detained pursuant to this Bye-law for more than 7 days and the owner has not been found, or if the owner does not claim the dog and pay the impounding fee, the Department of Health of the Assembly may cause the dog to be destroyed without any liability whatsoever.
- (5) Any officer of the Health Department of the Assembly or agent of the Assembly may seize any dog suffering or reasonably believed to be suffering from mange, rabies, or other disease within the meaning of the Diseases of Animals Act, 1961 (Act 83).
8. It shall be the duty of every person who has a valid dog licence to produce it within three hours of demand to any officer of the Health Department of the Assembly or other officer authorized in that behalf. Licence to be produced on demand.
9. Every person who keeps a dog shall have it inoculated once every year against rabies at the Veterinary Services Department and a certificate to that effect shall be issued in respect of such dog. Inoculation.
10. The owner or keeper of a dog shall control the animal to ensure that it causes no damage by killing or injuring livestock permitted to be in the Municipality but it shall be a defense 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. Attack of dog on livestock.
11. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
12. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SCHEDULE

(Section 5)

TARKWA NSUAEM MUNICIPAL ASSEMBLY DOG LICENCE

Licence is hereby granted to of

for keeping the dog described hereunder in the Tarkwa Nsuaem Municipal Assembly for the year 31st December, 20

Name of Dog Description.....

.....

Inoculation Certificate No. Date:

Fee Paid: GH¢

.....

Director of Health Services

SIGNED / STAMP

JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Processing of Fish) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|---|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Processing of Fish Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | <p>The following conditions shall apply to premises approved by the Assembly for processing of fish</p> <p>(1) No premises shall be used for fish cleaning and packing unless the premises have been licensed by the Assembly;</p> <p>(2) The licence granted shall always be kept on the premises and produced on demand by the Department of Health of the Assembly or any authorized officer and</p> <p>(3) The Assembly shall not licence any premises under this Bye-law until they have been duly inspected and approved by the Department of Health of the Assembly or other officer duly authorized by it;</p> <p>(4) The owner shall supply fresh water for cleaning purposes;</p> <p>(5) Offal shall be deposited in suitable bins provided by the owner for that purpose;</p> | Conditions of premises approved by the Assembly |
| 3. | <p>(1) 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;</p> <p>(2) The licence shall be in the form set out in the Schedule to this Bye-law or as 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;</p> | Fees and licence |
| 4. | The Department of Health of the Assembly and any Department of Health shall have power to enter any premises licensed or otherwise under this Bye-law for the purpose of inspection at any time between the hours of 6 a. m. and 6 p. m. and also at any time when any fish cleaning, smoking, curing and packing is being carried out therein. | Powers of inspection. |
| 5. | <p>(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 the smoking, curing or packing of fish.</p> <p>(2) The Assembly or any duly appointed officer shall have power to prohibit any such persons from entering such premises, or to eject them from the premises.</p> | Prohibited persons. |
| 6. | No dog or other animal shall be allowed inside such premises | Dogs. |
| 7. | No person other than those engaged in the curing, smoking and packing of fish shall be allowed on such premises. | Persons not allowed |
| 8. | Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment. not exceeding six months or to both | Penalty |
| 9. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |

SCHEDULE

(Section 3(2))

TARKWA NSUAEM MUNICIPAL ASSEMBLY FISH CLEANING AND PROCESSING LICENCE

The under-mentioned premises owned/managed by

of.....is hereby licensed for fish cleaning and packing

This licence expires on the 31st day of December, 20

Fee paid: GH¢

Description of Premises:

Date of Issue:

.....
District Director of Health Services

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Sale of Iced Water) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|--|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Sale of Iced Water) Bye law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | <p>(1) No person shall produce iced water for sale unless he has obtained a licence issued for that purpose in the form set out in the Schedule hereto and no licence shall be issued to any person or persons except on the recommendation of the Department of Health.</p> <p>(2) The fee for a licence for the production of iced water shall be as specified in the Fee Fixing Resolution of the Assembly for any particular year.</p> <p>(3) Any producer of iced water in premises outside the area of authority of this Assembly shall, on demand produce a licence duly issued by the Assembly and shall additionally pay a fee as if the iced. water was produced in the area of authority of this Assembly</p> | <p>Licence.</p> <p>Fee.</p> |
| 3. | <p>(1) No producer or vendor shall sell or otherwise dispose of iced water for money or money’s worth other than in a manner approved by the Department of Health for the purpose</p> <p>(2) Before iced water is sold to the public it shall be prepared in an appropriate place approved by the Department of Health of the Assembly or its authorized Officer and sold to the public in sealed plastic bags or bottles.</p> <p>(3) Producers of iced water shall put in place sustainable mechanisms to control or avoid littering of the environment.</p> <p>(4) The water shall be water drawn from water tap and shall be colourless and free from contamination</p> | Sale of iced water to public. |
| 4. | <p>(1) The Department of Health of the Assembly or other officer acting on his behalf may inspect the place and the conditions under which production takes place at any time without notice.</p> <p>(2) Upon recommendation of the Department of Health of the Assembly or authorized Officer the Assembly may prohibit a licensee from producing and/or selling iced water notwithstanding that the relevant licence is valid, and in such circumstances, the Assembly may withdraw the licence or refuse the renewal of it and the licensee shall forfeit the fee paid for such licence.</p> | Inspection and recommendation. |
| 5. | Any person who obstructs, bribes or attempts to bribe or resists an officer of the Assembly acting in the course of his duties in the execution of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Obstruction of Officer. |
| 6. | Licences shall be displayed at the place of production and it shall be an offence not to display or produce such licence for inspection of the Director of Health Services of the Assembly or any other authorized officer of the Assembly upon request at the time of inspection | Licence to be displayed at place of sale |
| 7. | (1) Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or to a term of | Penalty and |

imprisonment not exceeding six months or to both

sanctions

- (2) Without prejudice to any sanctions as specified in clause (1) above, the Assembly reserves the right to apply administrative sanctions by suspending or withdrawing the licence of any offender.
8. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.
9. In this Bye-law, unless the context otherwise requires: “iced water” means drinking water collected from water tap and made cool or cold by application of ice either by keeping it in a hygienic ice chest or water fountains or in a refrigerator, “producer” means a person licensed under this Bye-law to produce iced water. Interpretation.

SCHEDULE

(Section 2(1))

TARKWA NSUAEM MUNICIPAL ASSEMBLY

LICENCE FOR SALE OF ICED WATER

LICENCE is hereby granted to of
 of for the sale of Iced Water at H/No.
 at/ on
 This licence is valid up to 31st day of December, 20
 Name of Licensee's Agent or Assistant
 Fee Paid GH¢..... Date of Issue

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Business Operating Permit) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Business Operation Permits) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. (1) No person shall carry on any business within the area of authority of the Assembly without first obtaining a business operating permit duly granted by the Assembly. Permit/ fee.
 (2) A fee shall be charged for every permit granted under this Bye-law as specified in the Fee Fixing Resolution of the Assembly for any particular year.
 (3) Such a permit granted under this Bye-law shall expire on the 31st day of December each year. Expiration
 (4) A business licence granted under this Bye-law is not transferable and shall be displayed in a conspicuous part of the premises where the business is operated. Display
3. An owner of a ratable permanent or temporary property who is required to pay property rate under any existing law shall if he carries on any business in or from the property be required to apply for a business operating permit under this Bye-law for the operation of any business activity carried out on the premises. Liability to pay property rate not exempted
4. (1) Any officer or person duly authorized 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 inspection, enquiry or any other duties authorized by the Assembly. Powers of entry.

- (2) No person shall obstruct, offer bribe or attempt to offer bribe or in any way interfere with any officer or person authorized by the Assembly in the performance of any duties assigned to him under this Bye-law
5. (1) The Assembly may withdraw or revoke any permit granted under this Bye-law if any changes are effected in the business for which the permit was granted without a written authorization of the Assembly or if the person granted the permit contravenes any provision of this Bye-law. Withdrawal of permit and closure of business and punitive fee.
- (2) The Assembly may close down any business or suspend its activities until the appropriate fee is paid for the grant of permit for the operation of the business.
- (3) An appropriate fee within the context of this Bye-law may be of punitive nature but shall not be more than ten times the fee fixed by the Assembly
6. (1) Where for any reason a company or person winds up a business entirely or suspend operations, the Assembly shall be informed immediately about such a closure or suspension Winding-up
- (2) Any company or person that fails to comply with the foregoing paragraph shall continue to be liable for the payment of a fee.
7. A person who fails to pay the required fees at the prescribed time shall be liable to civil action for the recovery of the outstanding fees plus interest at the current bank rate with effect from the day of default up to and including the day of the final payment of the fees, notwithstanding any criminal prosecution that might be instituted against such an offender. Failure to pay fees.
8. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Offence and Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence Civil action
10. In this Bye-law unless the context otherwise requires: - Interpretation
- “Business” includes occupation, profession, trade or self-employment;
- “Premises” includes part of the premises.

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Cleansings) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Cleansings) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. (1) No household, owner or occupier of premises shall attach to the premises any unauthorized structure whether or not it did not cause any disfigurement and whether or not it did not disturb any building lines or the layout and means of exit in the event of fire Unauthorized structures attached to premises
- (2) Where such unauthorized structure is attached to such premises, the Assembly may request such structure to be pulled down within a stipulated time
- (3) The Assembly shall, in event of a default to pull down the structure pursuant to a request to that effect demolish such structure and recover the cost involved from the household, owner or occupier of the premises as if it were a debt due to the Assembly and without prejudice to section 9 of this Bye-law

- | | | |
|----|--|--|
| 3. | Where articles are arranged in front of a premise in such a way as to constitute a danger, nuisance or obstruction to any person or vehicles, or the front of the premises is used to provide accommodation of a sort for humans, animals or things, they shall be removed by the Assembly without notice and the cost shall be borne by the owner or occupier without prejudice to sections 9 and 10 of this Bye-Law | Removal of articles creating obstruction |
| 4. | No person shall park a vehicle, pack or display goods or other things in any public pathway or pavement. | Obstruction of pathway. |
| 5. | <p>(1) No person shall affix posters for advertisement on any wall, tree or fixtures in a public place other than: -</p> <p style="margin-left: 40px;">(a) in the spaces specifically provided or approved by the Assembly for such purposes; or</p> <p style="margin-left: 40px;">(b) On the property owned or occupied by the advertiser in the course of his business.</p> <p>(2) The foregoing provision shall not apply to advertisements or posters for elections or other notices initiated by the Government or the Assembly or a non-profit making organization, except that the latter shall first notify the Assembly.</p> | Posting of bills, etc. |
| 6. | <p>(1) No person shall throw litter, refuse or other solid or liquid matter that may cause nuisance or blocks the free passage of water running in gutters or drains or sides of roads</p> <p>(2) No empty cases, containers, spare parts of vehicles, derelict vehicles and other metallic articles shall be abandoned or placed or allowed at places where:-</p> <p style="margin-left: 40px;">(a) they may cause obstruction, or</p> <p style="margin-left: 40px;">(b) their presence may affect, disturb or damage the environment; or</p> <p style="margin-left: 40px;">(c) they are otherwise a public nuisance; or</p> <p style="margin-left: 40px;">(d) they are consistent with negligence.</p> | Nuisance, environmental abuse and negligence |
| 7. | <p>(1) It shall be the legal duty of every commercial or industrial operator to clean its premises, including the frontage or any place that is an appurtenance or that adjoins such premises and keep same neat at all times</p> <p>(2) The frontage of every commercial or industrial building shall be concreted, cemented or solidly [[[paved, tiled or converted by the owner or occupier to the satisfaction of the Works Engineer</p> <p>(3) Where the owner or occupier of commercial or industrial premises does not comply with the foregoing provision, the Works Engineer or any approved agent of the Assembly shall do so and surcharge the owner or occupier of the commercial or industrial building concerned.</p> <p>(4) Where a commercial or industrial operator fails to clean the premises in his possession the Assembly through its appointed officers or agents shall draw the attention of the management to clean premises within three days.</p> <p>(5) Where the management fails to undertake the cleaning within the specified time the Assembly may undertake the cleaning and charge the firm a fee commensurate with the work undertaken without prejudice to section 9 of this Bye-law</p> <p>(6) Owners or occupiers of stores, shops, market stalls whether or not in market places shall keep their floors, surroundings and frontages clean and clear of litter, rubbish or filth.</p> <p>(7) Where a person who is not owner is permitted or licensed to trade, work or use for any purpose the frontage of premises, the owner or occupier of the premises shall be severally or jointly liable with the said person for his default.</p> | Commercial or industrial premises |
| 8. | No person shall for the purpose of a trade, vocation or other business cause offensive smell or other nuisance to the detriment of neighbours or the public. | Nuisance through industrial |

activity.

9. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Offence and Penalty.
10. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
11. In this Bye-law, unless the context otherwise requires: - Interpretation
- “premise” means any building, structure of any kind and includes stalls, kiosks, bars and restaurant or the land adjoining thereto .
- “goods” includes trucks, cranes, lorries, cars, motor cycles, tricycles, bicycles, motor bicycles carts and wagons;

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Entertainment Licence) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Entertainment Licence) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title
2. (1) No person shall organize any form of entertainment other than the absolutely domestic and confined to a household within the administrative area of the Assembly without first obtaining a licence for that purpose. Licences.
- (2) Notwithstanding sub-section (1) above, no licence shall be required for entertainment:
- (a) devoted to charity;
- (b) for which no fees are charged, and
- (c) wholly confined to a household including the noise therefrom.
- (3) A licence issued under sub-section (1) above shall not be transferable; and shall be valid only for the day or period in which it is issued.
3. (1) The Assembly shall issue a licence for:- Activity for which Licences may be obtained
- (a) concerts, musical or theatrical performances, video shows, cinemas, fairs, circuses, dances, for which discotheques and other entertainments on payment of money or reward except where the proceeds are to be devoted to bonafide charity;
- (b) billiards, horse racing meetings, boxing, soccer, athletics lawn tennis and other sporting obtained activities except where proceeds are being devoted to charity.
- (2) The Assembly shall determine the fees to be paid under section (1) above by a resolution of the Assembly and may expressly grant exemption from the payment of such fee as it may consider appropriate. Fee.
- (3) Any entertainment premises shall:
- (a) be covered by fire and occupiers’ liability insurance, acceptable to the Assembly. Security.

- (b) provide emergency exits,
 - (c) have on the premises fire extinguishers,
 - (d) toilet and urinal facilities and
 - (e) safe seats or chairs
4. A licence issued under this Bye-law shall permit any activity for which the licence was issued to take place for a stated duration. Hours of operation.
 5. (1) Promoters of entertainment shows or activities shall indicate in a conspicuous place whether such show or activity is restricted to adults only. Admittance and Restriction.
 (2) Where admittance to an entertainment activity is restricted to adults only, no child below the age of 16 years shall accompany the adult to such entertainment activity.
 (3) Where admittance is made open to the general public without restriction, it shall not be an offence for children under 16 years of age unaccompanied by adult relatives to be admitted.
 (4) Notwithstanding the provision in sub-section (3) above, no promoter of an entertainment show or activity shall allow a child below the age of 16 years to remain on the premises after 9.00 p.m.
 (5) No promoter shall show any programmes that offend against the laws relating to public morals, or are incitement to crime or are otherwise contrary to public policy
 (6) No licence holder shall:
 - (a) permit smoking on the premises;
 - (b) sell or offer for sale alcoholic beverage or permit same to any person aged under 16;
 - (c) entertain or encourage or look on at any morally offensive conduct;
 - (d) display pornographic material;
 - (e) play pornographic music, and
 - (f) cause noise pollution.
 6. (1) An officer of the Assembly duly authorized shall have the right of entry to any premises or places of entertainment for purposes of inspection or investigation. Right of entry.
 (2) No person shall obstruct, offer bribe or attempt to offer bribe or prevent any officer in the course of his duties.
 7. The Assembly may revoke an entertainment licence if the licensee is convicted of an offence contrary to any provision of this Bye-law and any of the offences related to public morals contained in sections 273 274, 275, 276, 277, 278, 278A, 280, 281, 282, 283 and 284 of the Criminal Code 1960, Act 29 licence. Power to revoke
 8. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary Penalty conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.
 9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Communal Labour) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is

hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Communal Labour Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). Title.
2. The Assembly shall encourage community development programmes through communal labour. Programmes
3. Any person aged between 18 and 50 years and ordinarily resident in the area of authority of the Assembly shall: Participants
 - (1) take part in communal development planning as a civic duty;
 - (2) take part in organizing communal and voluntary work, required as part of normal communal labour;
 - (3) by his labour contribute to the well-being of his community; and
 - (4) shall by communal labour assist the Assembly in the discharge of its responsibility of the development, improvement and management of the environment.
4. For the avoidance of doubt generally every person whatever his occupation, standing, position, status or gender is required to attend communal labour and any politicization shall be ouster Communal labour as a duty
5. Without prejudice to the foregoing any person living in the area of authority of the Assembly may refuse without any lawful consequence to participate in communal labour if: Refusal to do communal labour.
 - (1) it shall amount to the commission of a crime;
 - (2) he suffers from infectious or contagious disease.
 - (3) he has not attained the age of eighteen years or is more than fifty;
 - (4) it shall amount to being in slavery or servitude.
6. For the true ends of communal labour to be achieved the Assembly shall: Ends of achieving communal labour.
 - (1) lay down community environmental sanitation norms;
 - (2) create awareness of environmental sanitation issues;
 - (3) place emphasis on safe and clean physical environment in settlements;
 - (4) enhance the capacity of the sub-structures in community development plans and programmes;
 - (5) develop appropriate environmental sanitation infrastructure; and
 - (6) make the maximum use of the traditional authorities, the youths and religious groups in its areas
7. Communal labour shall include, but not limited to the following:
 - (a) the maintenance of buildings used for communal purposes including markets but excluding shrines and places of worship;
 - (b) improvement in environmental health and sanitation;
 - (c) measures for the prevention or spread of disease;
 - (d) the maintenance and clearing of local roads and paths;
 - (e) the repairing of town or village fences or wooden bridges;
 - (f) the digging and construction of wells;
 - (g) the construction of schools, toilets, markets or other social amenities; or
 - (h) the provision and maintenance of local cemeteries.
 - (i) protection of tropical forests

- (j) soil erosion and degradation and
 - (k) protection of cultural and natural heritage
8. Communal labour may be initiated by, and not limited to the following:
 - (1) any individual or family;
 - (2) any traditional authority;
 - (3) Assembly members, elected or appointed;
 - (4) any sub-structure of the Assembly
 - (5) Non-governmental organizations (NGOs);
 - (6) Community-based organizations’
 - (7) Religious organizations;
 - (8) Educational institutions.

Organizers of communal labour.
 9. For best practice:
 - (1) the Unit committee and Assembly representatives shall at any moment be involved in the organization of communal labour;
 - (2) community meetings shall from time to time be held to decide on plans and review of action plans; and
 - (3) there shall be mechanisms for community monitoring and evaluation

Best practice
 10. (1) There shall be no particular mode to announce communal labour and the following options are for the time being the recommended modes:
 - (a) gong gong;
 - (b) Public Announcement System;
 - (c) FM facility;
 - (d) Notices put in conspicuous public places; and
 - (e) announcement at public gatherings, festivals, religious meetings, or other.

Announcement of communal labour.
 11. A sub-structure or Unit committee may exempt any person, who gives due notice, from taking part in organized communal labour if it is satisfied that:
 - (1) the person is ill, or
 - (2) the person is required to appear before a court or help the police in any investigation or attend any other public duty, or
 - (3) the person is bereaved, or
 - (4) the person is able and willing to pay a fee in lieu of attendance, or
 - (5) there are other reasonable grounds.

Exemption from communal labour.
 12. (1) Before the execution of any such work or service, the residents of the town, village or community in question, or their representatives shall be given adequate notice as to the nature, date, time and place of the work or service.
 - (2) Particular days of the week or month may be set aside or published in advance for communal labour to be called Sanitation Day.

Notice of communal labour days
 13. Any person from whom labour or service of any kind is reasonably or by law demanded and refuses or fails without reasonable cause to render the labour or perform the service or fails to pay a fee prior to the relevant day in lieu commits an offence.

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

Penalty.
 15. Any penalty imposed on the offender for an offence or breach provided in this Bye-law

Civil action.

shall be without prejudice to any civil action that the Assembly may decide to commence.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Chain-saw Operators) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made.

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Chain-saw Operators) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. (1) No person shall operate a chain-saw within the area of authority of the Assembly without first having obtained from the Assembly a licence for that purpose and paid a fee required under this Bye-law. Fee and licence
 (2) A licence 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.
3. No person or chain-saw operator shall: Prohibited acts.
 - (1) wrongfully enter on any forestry or prohibited area
 - (2) cut down or fell any economic tree without leave of the Assembly;
 - (3) cut down or fell any tree in the forest reserve or other reserved areas;
 - (4) operate as a charcoal operator without a licence for the purpose;
 - (5) cause any nuisance, be it private or public;
 - (6) act without due care and attention;
 - (7) disturb the level and nature of environmental quality;
 - (8) disturb sustainable socio-economic development;
 - (9) disturb the eco-system;
4. A person commits offence who: Offence.
 - (1) lets out, hires, lends or borrows a licence or who not being a holder of valid licence produces, exhibits, or uses a licence;
 - (2) without an appropriate licence operates a chain-saw;
 - (3) fails to produce a licence upon demand by any Police Officer or any authorized Officer of the Assembly or other for inspection
 - (4) wrongfully operate a chain saw in a forestry or protected area
 - (5) aids or abets the commission of any of the facts contained in section 3 of this bye-law
5. (1) Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding two years or to both. Penalty
 (2) On a second or subsequent summary conviction for an offence under this Bye-law, the Court may impose a penalty which is higher than the previous penalty.
6. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Maintenance of Premises) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Maintenance of Premises Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title.
2. (1) A household or an owner or occupier of premises within the area of administration of the Assembly shall keep the house or premises clean, white-washed, colour washed, distempered and painted on regular basis at least once every five years. Scope of maintenance.
(2) The Assembly may order any household, owner or occupier of premises to:-
 - (a) distemper, white-wash, colour wash, paint the outside of any building forming part of the premises or put his premises in a state of cleanliness within a prescribed period.
 - (b) remove dilapidated fence or structure abutting on any public place
 - (c) remove, lower or trim to the satisfaction of the Assembly any tree, shrub or hedge over hanging or interfering in any way with the traffic in any street, and
 - (d) remove any derelict car or other vehicles in human settlement.
3. Maintenance of premises shall include completing necessary repairs and renovations to the building and other structures.
4. An officer of the Assembly may inspect the state of maintenance of any premises within the area of administration of the Assembly. Inspection by officers.
5. (1) Any prescribed maintenance order made by the Assembly may be extended upon a reasonable petition by the household owner or occupier of the premises. Petition.
(2) Any person given extended period within which to comply with an order to white-wash, paint or put the premises in a state of cleanliness but who fails to do so commits an offence.
6. A household, owner or occupier of premises who refuses to repair premises in a state of disrepair, disfigurement, dilapidation, collapse or threat to life and property after reasonable warning or notice by the Assembly shall be deemed to have contravened this Bye-law. Repairs
7. Where any premises is abandoned or in a total state of disrepair, dilapidation or collapse or poses a threat to life and property, the Assembly member or any member of any sub-committee of the Assembly may advise the Assembly to serve notice on the owner or occupier of the premises to demolish premises within a period of eight days. Abandoned Premises.
8. The Assembly may demolish the premises after the expiration of the notice and surcharge the household owner or occupier of the premises for expenses incurred in the course of or in consequence of the demolition. Demolition of premises
9. (1) The Assembly may otherwise serve a notice to the owner of an uncompleted premise which poses a threat to life and property or which is a nuisance requiring the owner to either complete or demolish it within a specified period of time Uncompleted property
(2) Where the owner of the uncompleted house fails to either demolish or complete it within the specified period of time, the Assembly shall with or without further notice demolish the house and surcharge its owner with the expenses incurred in the course of or in consequence of the demolition.
10. Any person who contravenes any of the provisions of this Bye-law shall be liable on Penalty

summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.

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

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Operation of Video and Cinema Houses) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Operation of Video and Cinema Houses) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") | Title. |
| 2. | The Assembly shall be responsible for the control, regulation, supervision, inspection and licensing of video and cinema houses in its area of authority. | Responsibility of an Assembly |
| 3. | <p>(1) No person shall operate a video or cinema house within the area of authority of the Assembly unless:</p> <p>(a) he first obtains a licence from the Assembly to do so;</p> <p>(b) he has no criminal record;</p> <p>(c) the premises are in good repair and maintenance;</p> <p>(d) no part of the premises is uncompleted;</p> <p>(e) the premises are free of any obstruction or projection likely to cause</p> <p>(f) danger or inconvenience to any neighbour.</p> <p>(g) there are marked fire exits and well maintained fire extinguishers;</p> <p>(h) hygienic urinal facilities are available for use.</p> <p>(2) Such licence shall be valid as from the date of issue and shall expire on the 31st of</p> <p>(3) December of the year in which it was issued.</p> <p>(4) The fee payable to the Assembly for the issuance of such licence in accordance with this Bye-law shall be fixed by a resolution of the Assembly.</p> | Licence to operate |
| 4. | No video or cinema house shall be open to persons under 16 years of age for audiovisual programmes meant for adults except on weekends or public holidays. | Hours of operation |
| 5. | No video or cinema house shall admit any person under the age of 18 years to films or the like that relate to any of the offences against public morals whether or not he is accompanied by adult relative. | Admittance |
| 6. | <p>(1) No person shall show a film in a video or cinema house that has implications for public morals without first indicating the title and rating of the film to be shown in a conspicuous place outside the video or cinema house to be displayed.</p> <p>(2) Operators of video or cinema shows shall indicate whenever such entertainment is restricted to adults by notice in a conspicuous place outside the house.</p> | Film rating |
| 7. | No place within the area of authority of the Assembly shall be used as a video or cinema house for commercial purposes unless such places have been inspected and approved by an officer of the Assembly authorized to. | Inspection Premises for operation |
| 8. | No proprietor of a video cinema house shall cause any noise pollution. | Noise |

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| 9. There shall be no air pollution by way of smoking and no consumption of alcoholic beverage in any part of a video or cinema house. | Smoking |
| 10. Any video or cinema house shall on application for licence obtain copy of this Bye-law for a fee. | Purchase of Bye-law |
| 11. The Assembly may revoke Video and Cinema House licence if the licensee is convicted of an offence contrary to any provision of this Bye-law and any of the offences related to public morals contained in sections 273, 274, 275, 276, 277, 278, 278A, 280, 281, 282, 283 and 284 of the Criminal Code 1960. | Power to revoke licence |
| 12. Any licensee who fails to comply with any provision of this Bye-law may have his licence withdrawn or revoked by the Assembly. | Revocation. |
| 13. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty |
| 14. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Removal of Gravel, Stone and Sand) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Excavation of Gravels, Stone and Sand) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") | Title. |
| 2. (1) No person shall be permitted to remove stones, gravel or sand from any particularly designated place in the area of authority of Assembly unless he obtains a licence from the Assembly with prior notice or knowledge of the member representing the affected electoral area in the Assembly

(2) Any licence so issued under this Bye-law shall expire on the 31 st day of December of the year in which it was issued. | Licence. |
| 3. The fee payable to the Assembly for any such licence issued in accordance with this Bye-law shall be as fixed by a resolution of the Assembly. | Fees. |
| 4. Any licence issued hereunder shall be subject to a commitment on the part of the Applicant to avoid damage to the environment and such conditions as the Assembly may determine. | Conditions |
| 5. Every licensee shall cover the vehicle used in conveying such stones, gravel or sand with tarpaulin or other suitable material to prevent such stones, gravel or sand from flying or falling off such vehicle. | Covering of vehicles. |
| 6. (1) No person shall collect, excavate or convey stones, gravel or sand from a place not designated by the Assembly or directly or indirectly instigates, commands, counsels another or others to do same

(2) Whoever attempts to do any of the acts prohibited in sub-section (1) hereof commits an offence. | Offence. |
| 7. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine 100 penalty or a term of imprisonment not exceeding six months or to both. | Penalty. |

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

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Artisans) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Artisans) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title.
2. (1) The Assembly is responsible for the determination of the place of activity of any artisans and may establish and maintain a designated place or places for the activities of artisans Location of Artisans
(2) No artisan shall carry on his business at a place other than the place designated by the Assembly.
3. The Assembly shall perform the following functions:-
(1) design, develop and implement a plan of action to meet the needs of organized artisans
(2) facilitate the provision of credit for artisans
(3) promote the formation of artisanal associations, co-operative groups and other artisanal organizations
(4) compile and update a register of individual artisans and artisanal associations
(5) provide for the control, regulation, inspection, supervision and licensing of premises or lands where a profession, occupation, trade or business is carried out.
4. (1) No person shall work or operate as an artisan within the area of authority of the Assembly unless such a person first obtains a license issued by the Assembly to do so. Licence to operate.
(2) Any person who has previously obtained a license which had expired and who wishes to continue to work or operate as an artisan shall obtain a fresh license.
(3) Any person who has ceased to operate or work as artisan shall obtain a fresh licence in the month of the year in which he intends to resume operation
(4) Any license so issued under this Bye-law shall expire on the 31st day of December of the year in which it was issued.
5. The fee payable to the Assembly for any such license issued in accordance with this Bye-law shall be an amount prescribed by a fee fixing resolution of the Assembly. Fees.
6. (1) Any artisan who fails to obtain a relevant license and pay the appropriate fees at the prescribed time shall be liable to civil proceedings for recovering of the fees due plus interest at the current bank rate with effect from the day of default up to and including the day of the final payment of the fees notwithstanding any criminal prosecution that might be taken against the artisan. Penalty.
(2) Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both.
7. The Finance Officer of the Assembly and the chairperson of the Social Services Sub-Committee shall compile a list of artisans and shall update same quarterly.

8. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.
9. In this Bye-law: -Artisan” means self-employed skilled person who makes things with his hands or holds himself out as such. Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Lorry Parks) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Lorry Parks) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. (1) The Assembly shall establish, maintain and control parks for motor and other vehicles within its area of authority and may authorize any person or group of persons as operator who shall operate same in the capacity of an independent contractor on terms. Independent contractor
- (2) Notwithstanding the foregoing any person or group of persons may establish and/or operate a lorry park in any town or village with the prior approval of the Assembly.
- (3) Where the Assembly gives approval for the establishment and/or operation of a lorry park to any person(s) in any town or village within its area of authority, such lorry park shall be established and/or operated with no legal consequence whatsoever and howsoever for the Assembly.
3. (1) There shall be payable by the operator of the lorry park a fee fixed by a resolution of the Assembly. Fee for use of park.
- (2) Every driver of a motor vehicle shall each day, on first leaving the lorry park, pay a specified fee to a person appointed by the Assembly to collect same (hereinafter called “the attendant”) and shall produce the ticket to the attendant on each subsequent departure on the same day and any driver failing to produce such ticket shall be deemed to be first entering the lorry park.
- (3) The attendant shall issue a ticket in respect of each payment specifying the amount paid, the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated thereon and shall not be transferable.
4. (1) Notwithstanding that the lorry park operator shall pay property rate and levies or special rates, every such operator may 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. Deductions from booking fee
- (2) Any such deductions shall be remitted to a designated Officer of the Department of Trade of the Assembly on the first Monday of the month following.
5. Every driver of a motor vehicle using the park shall: - Regulation of the Use Park by drivers
 - (1) enter the lorry park by the opening marked “Entrance” and leave by the opening marked “Exit”
 - (2) park his vehicle in the lorry park in such space as may be indicated to him by the operator
 - (3) secure his parked vehicle from movement by keeping the hand-brake applied or by adopting any other effective means;
 - (4) refrain from causing unnecessary noise by racing the engine or sounding the horn

except when about to change the position of his vehicle in or depart from the park;

(5) not execute any repair to or other work upon his vehicle in the lorry park except such as may be necessary to enable the vehicle to move or be moved from the park;

(6) not permit his vehicle to be used as an advertisement for the sale of goods or promotion of any political party.

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| 6. | <p>(1) No person shall:</p> <p>(a) light any fire or use any naked light in any lorry park.</p> <p>(b) place or cause to be placed any refuse, rubbish or offensive or unwholesome matter in the park except at such places as may be provided for that purpose by the Assembly.</p> <p>(c) permit any produce or goods brought by him into the park by any vehicle to remain in the park for a longer time than reasonably necessary for off-loading or transportation.</p> | General regulations. |
| 7. | <p>(1) No person shall use a fuel filling station as a lorry park except for purpose of refueling.</p> <p>(2) The Assembly may revoke the licence of any fuel proprietor who allows his fuel filling station to be used as a lorry park.</p> <p>(3) Any proprietor of a fuel filling station who uses or permits such station to be used as a lorry park commits an offence.</p> | Prohibition of use of filling station as lorry park |
| 8. | <p>(1) Any person or group of persons who wishes to operate at any of the Assembly's approved lorry parks as overseer / bookman shall obtain a licence to do so from the Assembly through an approved Union or operator.</p> <p>(2) The grant and renewal of licence to an overseer / bookman may be regulated by the Assembly in consultation with the operator.</p> <p>(3) The Assembly may in consultation with the operator revoke the licence of any overseer / bookman for acts prejudicial to the interest and rights of passengers.</p> | Intervention of the Assembly |
| 9. | No person shall sell or exhibit for sale any alcoholic beverage in a lorry park. | Alcoholic beverage |
| 10. | <p>(1) No person shall encourage or aid any driver to park, stop, load or unload at spots or areas where there is a NO PARKING, NO STOPPING, NO LOADING and NO UNLOADING signboards</p> <p>(2) No operator shall permit any vehicle:</p> <p>(a) that is likely to cause injury to the environment;</p> <p>(b) that is not safe for the carriage of persons to operate from the lorry park.</p> | Control of vehicles. |
| 11. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both, or liable to a spot fine to be determine by the Assembly. | Offence and Penalty |
| 12. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence | Civil. action. |
| 13. | In this Bye-law, unless the context otherwise requires: -“driver” means any person who either as owner or otherwise has charge or control of a vehicle | Interpretation. |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Artisanal Fishing Nets and Fishing Methods) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Artisanal Fishing Nets and Fishing Methods) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title.
2. (1) The fishing gears used in artisanal fishing including 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 Assembly. Regulated gears and Prohibited fishing methods
 - (2) No person shall 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) No person shall use a seine net that in use is anchored to the bed of any river, stream, lake or lagoon.
 - (4) No person shall throw anything or use any method to stupefy the fish in any river, stream, lake or lagoon.
 - (5) No person shall direct or obstruct any part of the mouth of a river or stream running into a lake for the purpose of stupefying or taking any fish.
 - (6) No person shall use fishing gears that exploit juvenile fish or that is designed to operate in areas that are grounds for fish species.
 - (7) No person shall 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.
3. 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 Registration.
4. It shall be an offence to use any of the following nets or methods when fishing: Prohibited Acts
 - (1) A multifilament set-net the mesh size of which is less than 50mm in stretched diagonal length
 - (2) A monofilament set-net in marine waters
 - (3) A fishing methods that aggregates fish by light attraction
 - (4) dynamites or any other explosive
 - (5) operates pair-trawling
 - (6) catches, sells, buys, deals or lands at any landing site in the District of fish the size of which is less than the prescribed length as provided hereunder.

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 sea bream	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
Bigeeye tuna	55cm	Yellow fin	55cm

5. 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 25mm in stretched diagonal length.
6. 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 4 of this bye-law.
7. Any person who catches any gravid lobsters, or other crustaceans, juvenile fish as by-catches or incidental catches and who fails to release any of them immediately to their natural habitats commits an offence.
8. Any unapproved fishing gear or net shall be confiscated and in any way be disposed of by order of the Co-ordinating Director/Secretary in consultation with the Natural Resources Conservation Department of the Assembly. Confiscation of fishing gear.
9. The Assembly may assign any community - based fisheries association and fisheries stakeholders to perform any of the following acts.
 - (1) Monitoring of fishing operations
 - (2) Inspection of fishing gears
 - (3) Examination of landed fish and
 - (4) Other actions necessary to aid or ensure the enforcement of any of the provisions of this bye-law
10. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
11. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Temporary Structures) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Temporary Structures) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title.

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| 2. | No person shall erect a Temporary Structure in the area of the administration of the Assembly unless he first obtains a license from the Assembly to do so. | License |
| 3. | No person shall 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. | Fee. |
| 4. | Any Temporary Structure without a license 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 in like manner as a fine. | Unlawful structure |
| 5. | Every such structure shall carry a certificate as having been constructed in accordance with the requirements laid down by the Department of Physical Planning. | Certificate. |
| 6. | No such structure shall be so managed and maintained as to become a disfigurement to the neighbourhood | Disfigurement |
| 7. | 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 | Powers of Co-ordinating Director |
| 8. | No person shall obstruct, bribe or offer to bribe an agent or servant of the Assembly in the course of his duties. | Offence. |
| 9. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both | Penalty. |
| 10. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |
| 11. | In this Bye law:- “ temporary” means a limited period of time as defined by the Assembly | |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Food-Wrappers) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Food-Wrappers) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title. |
| 2. | The Assembly shall provide for the inspection of food wrappers and shall regulate any use of food wrappers which in its estimation is likely to be harmful or injurious to public health. | |
| 3. | No person shall sell, prepare or offer for sale as being fit for consumption as food, cooked or uncooked or partially cooked, in any food wrapper other than as defined in this Bye-law. | Prohibition |
| 4. | It shall not be a defense that the act was not for gain or that it had been the method in the past | No defense. |
| 5. | The offence shall be one of strict liability so that the intent or motive shall be of no consequence | Strict liability |
| 6. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment | Penalty. |

not exceeding six months or to both.

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| 7. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |
| 8. | In this Bye-law: Food-Wrapper” means prints of nonpoisonous material, paper or plastic specially manufactured for wrapping food to protect and keep it clean and in any event approved or likely to be approved by the Ghana Standards Board. | Interpretation. |

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Excavation in Streets) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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|----|--|-------------------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Excavation In Street) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title |
| 2. | No person shall within the area of administration of the Assembly undertake any excavation on any road or street without first obtaining a permit from the Assembly for the purpose. | Prohibition. |
| 3. | <p>(1) An application for a permit to carry out excavation in any road or street shall be made in writing addressed to the Engineer of the Department of Works of the Assembly who shall notify the Co-ordinating Director, the chairperson of the Works sub-committee of the Assembly and the Assembly member representing the area in which the excavation is to take place.</p> <p>(2) The application for the permit shall be in the form specified in the Schedule to this Bye-law and shall be issued by the Co-ordinating Director on the advice of the Roads Engineer.</p> <p>(3) A permit issued under the provisions of this Bye-law may be granted subject to such conditions as the Assembly may determine in the interest of public safety and order.</p> <p>(4) A permit fee determined by the Assembly shall become payable at the time of issuance of the permit to carry out the excavation works.</p> <p>(5) Nothing in any permit granted under the provisions of this Bye-law shall be deemed to authorize the commission of a nuisance or any condition harmful or likely to be harmful to any member of the public or environment.</p> | Permit and notice. |
| 4. | In the event of any person to whom a permit is issued failing to observe any of the conditions specified in the permit or any of the provisions of this Bye-law, the Assembly shall take necessary step to ensure compliance with the Bye-law and recover as a debt from such person any expense thereby reasonably incurred by the Assembly. | Failure to observe conditions |
| 5. | Any person who undertakes any excavation in any road shall: | Obligations. |
| | <p>(1) first announce by radio or the like to the public his intention to undertake an excavation on a public road or street;</p> <p>(2) in any event notify, in writing, the person representing the area in the Assembly;</p> <p>(3) at his own expense cause the area to be sufficiently fenced or made safe to the public;</p> <p>(4) maintain sufficient light or a reflective device in a proper place on or near the place until the completion of the work for which the excavation was permitted;</p> <p>(5) within reasonable time re-fill the excavated area to make good any damage to the</p> | |

surface of the street or ground to the satisfaction of the Assembly.

6. Any such excavation shall prima facie be causing damage obstruction, injury to the street or causing a loss to the Assembly. Prima facie.
7. Without prejudice to sub-section 5 (5) hereinbefore the Assembly shall be solely responsible for the permanent reinstatement of all excavation activities undertaken within its area of the authority and it shall charge in addition to the permit fee reinstatement fees according to the materials used and the duration of the work involved.
8. (1) The Assembly shall not be liable by virtue of any permit issued under the provisions of this Bye-law for any loss, damage or injury sustained by any person or animal or thing No liability
 (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
9. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty.
10. (1) Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence Civil action.
 (2) Any person has a locus standing to sue in respect of this Bye-Law
 (3) The activity complained of may be determined in a public interest Litigation.

SCHEDULE

(Section 3 (2))

TARKWA NSUAEM MUNICIPAL ASSEMBLY

Permit No.....

The Assembly (Regulation Excavation) Bye-law, (Paragraphs 1, 2 and 3 Permit is hereby issued to ofwithin the area of administration of the Assembly for period.....

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Temporary Use of Classrooms by Religious Bodies) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Temporary Use of Classrooms by Religious Bodies) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title
2. No person, group of persons or religious body shall use a classroom or place meant for educational purposes for the observance, celebration or of other religious event unless permitted in writing by the Assembly based on the express recommendation of the Assembly Member of the particular area. Permit
3. Any such approved use of the classroom by the body shall subsist on terms, namely: Terms
 (1) the body shall be and remain financially sound with proven capacity to pay for any damage caused.
 (2) shall pay such fee as is stipulated per month to the Assembly;

- (3) shall without any unreasonable delay repair any damage done to the classroom and/or the furniture therein;
- (4) cause no nuisance or noise pollution to the neighborhood or environment;
4. The Assembly may revoke a permit where a person, group of persons or religious body has been convicted for an offence in breach of this Bye-laws Revocation.
5. Any such permitted use shall, in any event, be in the nature of temporary use. Temporary.
6. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or both Penalty.
7. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence Civil action.
8. In this Bye-law unless the context otherwise requires: “classroom” is a room of a school building for the purpose of teaching. “temporary” means intended to last only for a short time without extension of time. Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Water Bodies) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Water Bodies) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title.
2. The provision of this Bye-Law shall apply to acts or omissions committed before its commencement in the like manner as they apply to acts committed after its commencement unless it can be shown that it did not constitute a crime or tort under any of the environmental laws of Ghana at the material time. Commence-
ment
3. The Municipal Chief Executive shall District Chief
Executive
 - (1) present a report on water bodies at the beginning of each session of the Assembly.
 - (2) submit plans of action to the Assembly at the beginning of each session.
4. (1) The ownership and use of land on a bank of a river or along a river or bordering a river or contiguous to a river in the area of the authority of the Assembly is vested in the Assembly. Ownership
and trustee
 - (2) The Assembly shall in respect of water bodies operate as a public trustee.
 - (3) The Assembly shall take or recommend or direct the restoration or maintenance of the physical, chemical and biological integrity of any water body in its area of the authority.
5. (1) Every person has a right to protect and safeguard water bodies Litigation
 - (2) Any person who finds that there has been a failure on the part of any person or body under a duty to protect water bodies may in reliance on the concept of public trust commence action without any necessary of having suffered a distinct loss or damage traceable to the act or omission complained of.
6. Every person in the area of the authority of the Assembly is entitled to the enjoyment of the following rights or freedoms. Rights and
freedoms
 - (1) necessity of access to information on water bodies.

- (2) participate in the making of decisions relating to water bodies initiate action to compel the Assembly to perform its duties in respect of water bodies.
- (3) initiate action to prevent or remedy damaged to water bodies.
7. The Assembly shall set side one week in the year to do the following Water bodies week
- (1) under projects and programs to raise public awareness on the benefits of water bodies.
- (2) project water bodies as protective of the environment.
- (3) suggest interventionist programs.
- (4) create awareness that water bodies are under threat through human activity.
- (5) ensure indicators for monitoring the protection and preservation of water bodies
- (6) organize communal labour benefit critical water bodies.
8. (1) No person shall: - Prohibition.
- (a) weed any riverside except with written permission of the Assembly.
- (b) carry on washing of vehicles or watering of cattle in any riverside;
- (c) carry on any noxious trade or activity along river side;
- (d) cause any material damage to the riverside
- (e) plant or cultivate any crop on the riverside
- (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) alter water bodies or adjoining
- (2) No building or structure shall be built or erected along any riverside or at a distance likely to, in anyway whatsoever, cause change in the volume or flow of water.
9. 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.
- 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 licence with necessary conditions or limitations.
10. (1) Any discharges of pollutants into any water body whether or not it is a drinking water source shall require a permit or licence of which the public has prior notice Pollution.
- (2) The concept of strict liability shall apply.
11. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
12. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
13. For the purpose of this Bye-law: "Riverside" relates to any water shed, river, pond, lake, lagoon, waterfall, water course or water body. "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/grave/clay or undertaking of animal farming, or any like usage. Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa- Nsuaem Municipal Assembly (Construction and Placement of Trading Kiosks) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Construction and Placement of Trading Kiosks) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title.
2. Any person who desires to erect, build or place a trading kiosk in the area of the authority of the Assembly shall submit an application to the Assembly
3. 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 and proof of payment of any basic rate. Application
4. When permission is granted following an inspection of the site and examination of the relevant documents there shall be paid to the Assembly such fee as may be fixed by a Resolution of the Assembly. Fees
5. After the requisite fee has been paid, the applicant shall be issued with a permit renewable from year to year save that the Assembly reserves the right to revoke the permit as and when it thinks fit. Permit.
6. Every kiosk shall display the official numbers allocated to it in conspicuous place. Conditions.
 1. No kiosk shall be constructed on sandcrete blocks.
 2. No person shall use a kiosk as a dwelling house.
 3. No person shall place a kiosk on a public footway.
 4. No kiosk shall exceed twelve square metres in size.
 5. No kiosk shall be a disfigurement or nuisance to the neighborhood, and
 6. No person shall use inflammable materials in the construction of kiosk.
7. (1) Any kiosk shall carry a certificate as having been constructed in accordance with requirements of Bye-laws made under the relevant sections of the Local Government Act for the time being in force. Statutory requirement.
 (2) The Assembly shall give seven days' notice in writing to the owner or occupier of any kiosk constructed in contravention of this Bye-law and where the person cannot be found may affix to the kiosk, a notice in writing requiring such owner or occupier to remove the unauthorized kiosk within seven days from the date of the notice, or expressly show sufficient cause why such kiosk should not be pulled down.
 (3) The cost of pulling down of the kiosk shall be borne by the owner or occupier and the owner or occupier shall remove or abate any consequential nuisance or other.
8. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Penalty.
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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|----|--|-----------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Weekly Lotto) Bye-law, 2014 and shall apply to the area of administration of Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). | Title. |
| 2. | No person shall operate a Weekly Lotto unless he is first licensed by the National Lotto Authority and subsequently granted permit by the Assembly to do so | Permit. |
| 3. | An application for a license to operate a Weekly Lotto shall be accompanied by:
(1) Two passport size photograph of the applicant
(2) Evidence of a bona fide bank account of not less than GH¢500.00
(3) A valid certificate of registration from the Registrar General’s Department;
(4) Full description of the place from which the applicant shall undertake operations | Application. |
| 4. | (1) There shall be paid GH¢100 in respect of every license issued and a registration fee of GH¢300.00 or such an amount as may be determined by resolution of the Assembly.
(2) Every applicant shall before being granted a license to operate a Weekly Lotto deposit such other amount as may be fixed by resolution of the Assembly.
(3) Every operator shall pay to the Assembly an annual fee of GH¢200.00 or such amount as the Assembly may by resolution determine | Fee. |
| 5. | (1) Every licensed operator shall operate from identifiable location approved by the Assembly.
(2) The location shall in any event be in a public place to which the general public has access. | Place of business. |
| 6. | For the avoidance of doubt, any such operator shall be mindful of the law relating to the Occupier’s Liability Act for the time being in force | Occupiers’ liability. |
| 7. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty |
| 8. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Markets) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|---------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Markets) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as (“The Assembly”)) | Title. |
| 2. | The Assembly has the exclusive control or management of all markets in its area of authority | Exclusive authority |
| 3. | The markets shall be opened daily to the public from 5: 00 a. m. to 6.30 p. m. unless otherwise expressly provided | Daily operation. |

- | | | |
|-----|--|--|
| 4. | The Department of Works of the Assembly shall assist to build, equip, close and maintain market and may prohibit the erection of stores in places other than the market | Control of markets |
| 5. | <p>(1) Application for the erection of stores, stalls, spaces or selling sites shall be made in writing to the Co-ordinating Director, or such other officer as the Assembly may for that purpose appoint.</p> <p>(2) The allotment of any store, stall, space and selling site shall be made in the order of application received and the decision of the Co-ordinating Director, as to the priority of the application shall be final.</p> <p>(3) Stores, stalls, spaces and selling sites in and outside the markets shall be allotted for the sale of such specified items or articles as the Assembly may from time to time direct.</p> <p>(4) Any complaints shall be made to the Public Relations and Complaints Committee of the Assembly for determination on the merits.</p> | <p>Application</p> <p>Allotment</p> |
| 6. | In all cases where the rent of any store, stall, space or selling sites in a market is payable monthly, a tenant shall give one month prior notice of intention to discontinue the use thereof to the Assembly and shall under no circumstances transfer the use or occupancy of such premises to any other person | Discontinuance of occupancy |
| 7. | <p>(1) The rent for a store, stall or store space shall be as specified by the Fee Fixing Resolution for the Assembly published annually.</p> <p>(2) All rents shall be paid in advance.</p> <p>(3) Where the rent is payable monthly, any portion of a month shall be counted and paid for as an entire month.</p> <p>(4) Whenever rent is paid, a counterfoil receipt or ticket shall be issued in respect of the payment and such receipt or ticket shall be accepted as proof of allotment for the period for which it is issued.</p> <p>(5) the period for which rent has been paid shall run from and include the day of allotment and shall expire on the last day of the period for which rent has been paid.</p> | Rent |
| 8. | Failure to produce on demand any ticket or receipt alleged to have been issued shall be deemed to be non-payment of the fee and may result in ejection from the market or prosecution. | Ejection or prosecution |
| 9. | <p>(1) The Assembly shall be under no liability whatsoever for any loss or damage to the property of any occupier of any store, stall, space or selling site in a market as a result of fire, theft, burglary or any other cause.</p> <p>(2) In that regard, occupiers may be prudent to take relevant insurance policies to cover their properties against any such event.</p> | <p>Liability for loss or damage</p> <p>Insurance</p> |
| 10. | No occupier of any store, stall, space or selling site in a market shall sublet or share such store, space or selling site with another or others except with the prior written consent of the Assembly. | Subletting of store, etc. |
| 11. | <p>(1) No person shall sell at any place other than a market without first obtaining approval from the Assembly</p> <p>(2) No occupier of any store, stall, space or selling site shall sell or expose for sale any articles other than those permitted to be sold at that area or in such store, stall, space or selling site.</p> | Sales restriction |
| 12. | No person shall sell fresh meat which has not been slaughtered in a public slaughter-house and passed for sale by the appropriate health authority. | Certification for fresh meat. |
| 13. | <p>(1) Every occupier of a store, stall, space or selling site in a market shall at all times be responsible for the cleaning of the store, stall, space or selling site and its surroundings including drains</p> <p>(2) Before leaving the market at the close of the day, every occupier shall thoroughly clean the store, stall, space or selling site and its surroundings and all rubbish shall</p> | Cleaning of store. |

be swept and deposited in central containers provided for the purpose.

- (3) All stains from oil, fat or other articles shall be thoroughly washed away.
- (4) No person shall throw or dispose of any rubbish, litter, waste material or any other thing in any pathway, gutters or any open space in the market or its vicinity.
14. No occupier of any stall, space or selling site in a market shall expose for sale any bread, fresh fish, prepared grain food or other articles of food unless the same is placed on a table or on a support raised at least one metre from the ground. Articles of food to be raised from the ground
15. No article which is likely to be used for human consumption in the state in which it is exposed for sale shall be sold or offered for sale without adequate protection from dust, flies, insects or harmful substances. Food to be protected.
16. No seller shall place any box, basket, container or anything in any pathway or avenue of a market. Obstruction
17. No person shall bring or cause to be brought into a market any of the following: Dogs, offal etc.; not allowed
 - (1) Dogs or sheep;
 - (2) The offal of animal unless the same is a permitted article for sale
 - (3) The skin of any animal, unless the same has been properly cured or dressed.
18. Any officer of the Assembly shall have the power to refuse right of entry into a market to: Prohibited persons.
 - (1) any person who has previously been guilty of misconduct in or about the market;
 - (2) any person of unsound mind; and
 - (3) any person suffering from vermin or from any contagious or infectious disease.
19. Every person in charge of a child in a market shall be responsible for the cleanliness and orderly conduct of the child and shall without demand remove any nuisance the child may cause Care of children
20. (1) Parts of the market shall be specifically set aside by the Assembly for specified articles. Categorization of market
 - (2) A part shall be specifically set aside by the Assembly for the use of daily sellers who shall pay to the Assembly such daily fees as have been fixed by resolution of the Assembly.
 - (3) On payment of the fee, a receipt or ticket specifying the date on which it is paid, shall be issued to the seller and the receipt or ticket shall be prima facie evidence of the payment of the fee on the specified date.
 - (4) Failure to produce the receipt or ticket on demand by a person authorized by the Assembly shall render the daily seller liable to ejection from the market or prosecution.
21. Every person using a market either as a seller or purchaser and every other member of the public using or frequenting a market shall obey all directions and requests of the officers of the Assembly or police officers given for the preservation of cleanliness, order and regularity in the market, or for facilitating the dispatch of business therein Orders.
22. (1) Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both Penalty
 - (2) Without prejudice to any sanctions as specified in sub-section (1), the Assembly reserves the right to suspend for such period(s) as it may deem fit and/or determine the tenancy of any occupier or seller who offends against any of the provisions of this Bye-law.
23. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to Civil action.

commence.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Livestock) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal (Control of Livestock) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") | Title. |
| 2. | <p>(1) No person shall rear or keep for sale any livestock in or near any household within the area of administration of the Assembly without a permit issued for the purpose by the Assembly at a fee determined by a fee fixing resolution of the Assembly for any particular year</p> <p>(2) The Assembly in granting a permit shall determine the conditions under which any such livestock are to be kept.</p> | Permit |
| 3. | For domestic, religious or customary purposes or ceremonies, a person shall keep not more than five cattle in or near a household for a maximum period of fourteen days. | Limits |
| 4. | <p>(1) Every cattle kept in or near a household as provided in section 3 herein shall be tethered or enclosed and no person shall allow any of them to stray into any public place.</p> <p>(2) If any livestock other than cattle are found in any public place without any person in charge, any Police Officer or Department of Health Officer may seize and impound the animal in any common or stray pound, and may detain it there until the owner pays to the Assembly a penalty and a prescribed sum to cover expenses involved.</p> <p>(3) If the said sum is not paid within seven days after impounding, the officer appointed by the Assembly for the purpose shall give three days' notice of intention to sell the animal at a public auction.</p> <p>(4) At the expiration of the period of three days, the animal shall be sold and the proceeds paid to the Assembly with no liability on the Assembly to account to the owner.</p> <p>(5) The Assembly shall not be responsible for any livestock that may die or suffer distress after it has been impounded.</p> | Impounding of stray animal |
| 5. | <p>(1) An officer, servant or agent appointed by the Assembly may enter at any reasonable time and inspect any premises where livestock are kept.</p> <p>(2) Any cattle found in excess of the permitted number as provided under section 3 hereinbefore and/or deprived of vaccination and/or immunization may be impounded by the officer, servant or agent of the Assembly and dealt with as the Assembly may deem fit.</p> | Inspection of premises |
| 6. | <p>(1) Any person who keeps or controls any horse, mule, or ass or other affected with farcy or glanders in a public place commits an offence.</p> <p>(2) Any such animal may be destroyed by order of court.</p> <p>(3) Any costs, fees or expenses reasonably incurred in destroying such animal shall be paid by the owner or person in possession and shall be recoverable in like manner as a fine.</p> | Offence |
| 7. | Where livestock strays on to land in the ownership or occupation of the Assembly and damage or nuisance is done by the livestock to the land or any property which is in the | Liability for damage and |

- ownership or possession of the Assembly, the person to whom the livestock belongs shall be liable for the damage and or expenses thereby reasonably incurred. expenses due to trespassing of livestock
8. (1) A Police Officer or Health Officer or other may be designated by the court to take charge without liability, of any such animal for the purpose of examination or other. Offence and consequences.
- (2) The cost of examination and detention, including cost of any veterinary treatment, if any, shall be paid by the owner or person in possession and the cost may be recovered in like manner as a fine.
9. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
10. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.
11. In this Bye-law, unless the context otherwise requires: "Livestock" comprehends ordinary farm animals and includes the male, female, or young of any animal of the following kinds, namely, any horse, ass, mule, cattle, sheep, goats, or swine and any domestic animal but not dogs and cats. "public place" includes any public way and any building, place or conveyance to which the public are entitled or permitted to have access unconditionally or upon stated conditions. Interpretation

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Firewood Dealers) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Firewood Dealers) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title
2. (1) No person shall deal in firewood in commercial quantity within the area of authority of the Assembly unless the person obtains a license from the Assembly Licence
- (2) Any licence issued under these Bye-laws shall be granted subject to such conditions as the Assembly may determine.
- (3) A licence issued under this Bye-law shall expire on the 31st December of the year in which it is issued.
3. The Assembly may charge a fee as fixed by a fee fixing resolution of the Assembly. Fees
4. (1) Any person who deals in firewood shall not offend against any of the environmental or forestry laws, and shall not engage in any reckless cutting down or felling of trees. Environmental and climate protection
- (2) 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.
5. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of 100 penalty or a term of imprisonment not exceeding six months or to both. Penalty
6. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
7. In this Bye-law unless the context other-wise requires: firewood dealer' means any Interpretation

person who sells or offers for sale of firewood

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Drainage of Waste Water) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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|----|--|-----------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Drainage of Waste Water) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) | Title |
| 2. | The Bye-law shall apply to premises such as dwelling houses, industrial or commercial houses, kiosks, structures or sheds. | Application |
| 3. | Every household shall take necessary and effective steps to prevent, or immediately remedy, any nuisance connected with the drainage of waste water. | Nuisance |
| 4. | (1) Every household, owner or occupier of premises shall connect a linkage of waste water except sewerage, to the main drain or culvert wherever available and meant for the purpose.
(2) The linkage drain shall be made of concrete and shall be covered. | Duty to link drain |
| 5. | (1) Any household owner or occupier of premises shall build a soak-way to take care of waste water in places where a drain or culvert is not available.
(2) In the event of pollution of ground water by direct discharge, or by indirect percolation of pollutants through the soil, it shall be no defense that at all material times soak-away was in use. | Soak-way. |
| 6. | (1) The Department of Physical Planning shall by notice order the owner of any premises within a specified time to remove or abate any nuisance.
(2) If the owner or occupier fails to comply with the order within the specified time the Department of Physical Planning may carry out the removal or abatement and recover the expense from the owner or occupier, as if it were a debt due from the person to the Assembly. | Responses to nuisance |
| 7. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty |
| 8. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control of Bushfire) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1),(2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|---|--------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control of Bush Fire) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem | Title. |
|----|---|--------|

Municipal Assembly (hereinafter referred to as “The Assembly”)

2. Any person who starts a bushfire or causes it to be started by his servants, agents or independent contractors, shall be liable for damage caused by the bushfire and may be liable to prosecution.
3. (1) For the purpose of this Bye-law, a person starts a bushfire if any action of his results in the uncontrolled burning of any farm, forest or grassland. Prohibition of bush fire
 (2) If a person starts a fire on his bush land and same spread to that of another, the person from whose land the fire started may be required to make good the damage done to that other. Starting a bushfire.
4. Any person who by way of necessity wishes to set fire in his farm, shall first create a belt of at least 1.829 metres wide around the farm and shall at all material times be minded of the prevailing state of the wind for proper precautions to be taken. Fire belt to be created.
5. (1) Any person or organization responsible for the clearing and weeding of any roadside shall ensure that the roadside is kept free of all bushfire hazards. Prevention of fire originating roadside
 (2) Where any damage is thereby caused the agent/or employee of the organization or body shall be held responsible for any damage thereby caused.
6. A person commits an offence if he fails to report to any of the following persons or body of persons or any person known to him to have started or caused a bushfire:- Failure to report bushfire offence.
 (1) a member of any sub-structure of the Assembly
 (2) Unit Fire Volunteer Squad;
 (3) a member of the Bush Fire Control Committee;
 (4) a Police Officer;
 (5) the traditional authority in the area;
 (6) an officer of the Ghana National Fire Service;
 (7) Disaster Management and Prevention Department of the Assembly
 (8) The Justice and Security sub-committee.
 (9) Any member of the Assembly.
7. There shall be established in every sub-structure a Fire Volunteer Squad to help suppress and combat bush fires and educate the communities on how to fight and prevent bush fires. Fire Volunteer Squad
8. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of 100 penalty units or to a term of imprisonment not exceeding six months or to both. Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Cemetery and Crematorium) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Cemetery and Crematorium) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Title

Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”)

2. (1) The Assembly shall build and maintain cemetery and, if necessary crematorium in the district
- (2) The Assembly shall cause a plan of each cemetery or crematorium in its area of administration to be prepared by a licensed surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and the plan shall be kept in the office of the sexton-in-charge of the cemetery. Provision of cemetery.
3. In each Assembly Cemetery, part may be set aside for infant burials and part may be set aside for free. Infant burial free burials.
4. (1) In every Assembly Cemetery the standard grave shall be 2.438 metres by 1.219 metres and graves reserved for infant burials shall be 1.219 metres by .914 metres. Grave size and depth
- (2) Any family or other of a dead person who prefers a grave wider or deeper or both than the standard size as described in section 4 (1) shall pay additional fee determined at a fee fixing resolution of the Assembly but the fee shall not be less than GH¢500.00
- (3) No grave in the Assembly cemetery shall be less than 1.83 meters deep
- (4) The foundation of a headstone or other memorial in the cemetery that is more than 610 metres above the surface of the ground permitted by the Assembly shall attract a special fee.
5. In each Assembly cemetery a part or parts may be set apart as crematoria where, in the opinion of the Assembly, it is expedient to do so. Crematoria.
6. (1) No burial shall be allowed without a permit issued by the Assembly and without the possession of a form of a type described in the Schedule to this Bye-law Burial permit.
- (2) No burial shall be allowed outside the Assembly’s approved cemetery or crematorium.
- (3) Notwithstanding provisions of section 2 above where a burial is to be allowed outside the Assembly’s approved cemetery, permission shall be sought from the Health Department and the Registrar of Births and Deaths, with notice to the Social Services Sub-committee of the Assembly.
7. No free burials shall be allowed without the written authority of the Assembly which shall specify the reasons why free burials may be permitted. Free burial
8. (1) No burial shall take place in any Assembly cemetery except between the hours of 8:00 a. m. and 5:00 p. m Time of Burial
- (2) The burial of a member of a stool family may take place as custom demands.
9. (1) A fee for grave space and vaults in Assembly cemetery shall be payable at the rate fixed by resolution of the Assembly Fee for grave space
- (2) No fee shall be paid for the burial of children and members of a stool family wherever that takes place.
10. (1) No person shall commit any nuisance in a cemetery or crematorium Nuisance and responsibility
- (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.
11. (1) Any cemetery save cemetery meant for the royalty shall be or become the property of the Assembly Powers of the Assembly
- (2) The legality or otherwise of a cemetery shall be determined by the Assembly whose decisions shall be final
- (3) No person or organization other than the Assembly or a Department of Health Officer may hinder the burial of the dead body of any person at a cemetery or lay down conditions for leave to do so commits an offence.

- (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
- (5) No burial of the dead body of a person in a cemetery shall be discriminated against on any grounds other than health and sanitation.
12. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
13. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SCHEDULE

(Section 6)

TARKWA NSUAEM MUNICIPAL ASSEMBLY

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

.....
 Municipal Co-ordinating Director/ Secretary

SIGNED / STAMP
 JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
 PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Child Welfare and Protection) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. (1) This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Child Welfare and Protection) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") Title
- (2) Where the provisions relate to child labour they shall be limited to the informal sector.
2. The Assembly shall:- Care services
- (1) assist and facilitate the provision of care services in support of children generally, street children and child survival.
- (2) formulate policies to get children back into the classrooms, and
- (3) take necessary steps to end the morning or afternoon school shift system
3. Any person who fails without reasonable excuse (proof of which shall be on him) to furnish information about the predicaments of a child commits an offence. Offence.

Children's
right and
mainstreaming

4. (1) The rights of the child shall be ensured by the Assembly without discrimination against the child on the grounds of nationality, gender, race, colour, age, religion, disability, health status, custom, ethnic origin, rural or urban background, birth or other status, socio economic status or because the child is a refugee and same shall be mainstreamed into sectorial plans, budgets and monitoring and evaluation processes.

(2) No person whether or not he or she is a citizen of the Republic of Ghana shall:-

- (a) deny a child of reasonable provision out of the estate of a parent whether or not born in wedlock.
- (b) deny a child access to education, immunization, adequate diet, clothing, shelter, medical attention or any other things required for the child's development.
- (c) for any reason deny a child medical treatment.
- (d) deny a child the right to participate in sports, or in positive cultural and artistic activities or other leisure activities.
- (e) treat the physically challenged child in undignified manner.
- (f) deny the physically challenged child the right to necessary care, education and training wherever possible to develop his maximum potential and be self-reliant
- (g) deny a child capable of forming views the right to express an opinion, to be listened to and to participate in decisions which affect his well-being.
- (h) force, induce or secure the betrothal and marriage of a child.

5. (1) Parents or guardians shall have primary responsibility for the welfare, upbringing and development of the child

Parental duty
and
responsibility

(2) Every parent has rights and responsibilities whether imposed by law or otherwise towards the child which include the duty to

- (a) protect the child from neglect, violence, abuse, exposure to physical and moral hazards and oppression;
- (b) ensure that in the temporary absence of a parent, the child shall be cared for by a competent person and that a child under eighteen months of age shall only be cared for by a person of not less than sixteen years;
- (c) ensure that the child is not subjected to inhuman and degrading treatment and traditional practices including severe tribal marks and female circumcision;
- (d) ensure the registration of the birth of the child and the names of both parents shall appear on the birth certificate except if the father of the child is unknown to the mother;
- (e) assign a name to the child, in any event.
- (f) where two or more persons have a parental right or duty jointly, any one of them can be answerable for the misconduct of the child;
- (g) where one of the parents dies, the parent living has the right or duty exclusively;
- (h) where a person has legal custody of a child the person acquires so much of the parental rights and duties as they relate to the child.

6. The Assembly may be sued for failure to take reasonable steps to ensure that no child aged under 18:

Restrictions
and public
morals.

- (1) roams in streets or markets or does anything in market areas during school hours;
- (2) roams in any street;
- (3) trades in anything in any public place during normal school hours.
- (4) sleeps out-side his home in the open at any time;

- (5) enters any part of any premises or structure meant for the sale of alcoholic beverages;
 - (6) resides in or frequents a brothel or be exposed to moral hazards;
 - (7) sells or offers for sale any obscene material;
 - (8) buys, sells or delivers any tobacco or synthetic tobacco or alcoholic beverage.
 - (9) participates in activities in the nature of gambling, or any activity that is in want of educational or recreational value.
7. 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 Social Services Sub-Committee of the Assembly, or to both. Reporting abuse.
 8. (1) No child aged under thirteen years or registered as a Primary or Junior High School pupil shall be engaged in any paid work. Child labour.
 (2) No child aged under sixteen years shall be admitted to employment.
 (3) No child aged under eighteen years shall be engaged in any exploitative labour, or in any labour that deprives the child of its health, education or development.
 (4) No child aged under 18 shall engage in night work that is to say between the hours of six o'clock in the evening and six o'clock in the morning.
 (5) No child aged under 18 years shall engage or be made to engage in any of the following activities:-
 (a) going to sea;
 (b) fishing in lake or river;
 (c) mining, quarrying and other works for the extraction of minerals from the earth;
 (d) portering of heavy loads;
 (e) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed including undertakings in ship building or in the generation, transformation or transmission of electricity or motive power of any kind.
 (f) work in places where machines are used;
 (g) work in places such as bars, hotels and places of entertainment whether or not the child may be exposed to immoral behaviour.
 (6) It shall be no defense that the work is not likely to be harmful to the health or development of the child or does not affect the child's attendance at school or the capacity of the child to benefit from school work.
 9. (1) The Social Services Sub-Committee of the Assembly and the Department of Social Welfare and Community Development shall monitor and evaluate the enforcement of the provisions of this Bye-law. Enforcement.
 (2) For the purposes of this section, any person may be interrogated by a member of the Social Services Sub-Committee or of the Department of Social Welfare and Community Development. Procedure.
 (3) If any member or the Department of Social Welfare and Community Development is reasonably satisfied that any of the provisions of this section is not being complied with he shall report the matter to the Police or a public prosecutor who shall investigate it and take the appropriate steps to prosecute the offender.
 (4) Where the offender is a family member of the child whose rights are being infringed the Social Services Sub-Committee or the Department of Social Welfare and Community Development shall request a probation officer or social welfare officer to prepare a social enquiry report on the matter for necessary action.
 10. Any person, who contravenes the provisions of this Bye-Law commits an offence and shall be liable on summary conviction to a fine of 100 penalty units or to imprisonment Penalty.

for a term not exceeding one year or to both.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Growing and Sale of Crops) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|--------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Growing and Sale of Crops) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). | Title |
| 2. | The Assembly shall promote the protection of human health and wellbeing. | Protection |
| 3. | No crop shall be cultivated in an area affected by solid or liquid waste or watered with or irrigated with the effluent from a drain or any surface water drain which is fed by waste water from any street | |
| 4. | No person with a discharging wound, sores on the arms or legs or from any of the symptoms of infectious disease shall take part in the preparation, growing, harvesting, packaging or sale of crops. | Infected person. |
| 5. | No crops shall be displayed for sale or other on a road, floor, pavement or sidewalk. | |
| 6. | (1) The Department of Health may, where it 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.
(3) No person shall offer for sale or attempt to offer for sale, as being fit for consumption any crop which he knows or has reason to believe that it suffers from some putrefaction, adulteration, or other cause, as to be likely to be harmful to health. | Unwholesome crops. |
| 7. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty. |
| 8. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action. |
| 9. | In this Bye-law unless the context otherwise requires: "Crops" means lettuce, tomatoes, radishes, onion, cucumber, water melon, oranges, bananas, kontomire or any other agricultural produce likely to be eaten in uncooked state. | Interpretation |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Manufacture and Distillation of Alcoholic Beverage) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|-------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Distillation of Alcoholic Beverage) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly") | Title |
|----|--|-------|

2. (1) Any person who wishes to distill, manufacture, transport, distribute, supply and keep for sale any alcoholic beverage shall apply to and obtain from the Assembly a licence to be able to do so. Licence.
- (2) Any licence granted under this Bye-law shall expire on the 31st December of the year in which it is granted.
3. No distiller of alcoholic beverage shall do any of the following things or acts: Prohibited acts.
- (a) distill the alcoholic beverage in such a way or place as to make it harmful to health on consumption,
 - (b) foul or pollute any water body,
 - (c) cause any damage to fish culture,
 - (d) cause air pollution or noise pollution, and
 - (e) cause alteration in the character or quality of flow of any stream.
 - (f) use polluted water in the manufacturing of alcoholic beverage.
 - (g) add substances aimed at enhancing the alcoholic content, thereby posing a real threat to human health and well-being
4. (1) No person engaged in the manufacture or distillation of any alcoholic beverage who suffers from any infectious disease or who has a wound on the hands or arms or discharging ears or suffers from attacks of diarrhea or vomiting shall take part in the preparation or retail of alcoholic beverage Infectious diseases wounds, etc
- (2) Any distiller of alcoholic beverage shall ensure that all persons engaged in the preparation or handling of the alcoholic beverage shall be medically examined and certified to be fit by the Director of Health Services at least once every year.
5. Any person who contravenes any of the provisions of this Bye-law may have any Licence withdrawal suspension
- (1) licence withdrawn, and
 - (2) operations suspended.
6. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty.
7. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
8. In this Bye-law unless the context otherwise requires “alcoholic beverage” includes akpeteshie, palm wine, pito, corn beer and fermented liquors Interpretation

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Sale of Alcoholic Beverage) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Sale of Alcoholic Beverage) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). Title.
2. (1) No alcoholic beverage shall be sold or offered for sale except upon premises which have been approved and licensed by the Assembly upon application by the seller. Sale of alcoholic

- (2) Any sale of any alcoholic beverage shall be preceded by enquiry by the seller as to its quality and source. beverage.
3. (1) An application for a license shall be made in writing to the Assembly, and it shall be issued subject to such conditions as the Assembly may impose. Licence application.
- (2) A license shall be required 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 comes first.
4. The fee for every 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 than the fee for a whole or half year. Fee.
5. (1) No person shall sell or offer for sale alcoholic beverage which he knows or has reason to believe to suffer putrefaction, adulteration or other cause, as to be likely to be harmful to human health and well-being. Offence.
- (2) No person shall knowingly sell alcoholic beverage to a person who is drunk, riotous, quarrelsome or disorderly.
- (3) No agent or servant of a distributor or retailer shall handle any alcoholic beverage knowing that he suffers from infectious disease or has a wound on his hands or arms, discharging ears or suffers from attacks of diarrhea or vomiting.
6. (1) No distributor or retailer who suffers from infectious disease or who has a wound on hands or arms, discharging ears or suffers from attacks of diarrhea or vomiting shall take part in the preparation or retail of alcoholic beverage. Infectious diseases wounds, etc.
- (2) Any distributor or retailer of alcoholic beverage shall have all persons engaged in the handling of alcoholic beverage shall be medically examined and certified to be fit by the Department of Health at least once every year.
7. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or to both. Penalty
8. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
9. In this Bye-law unless the context otherwise requires: - Interpretation.
- “alcoholic beverage” includes akpeteshie, palm wine, pito, corn beer and fermented liquors

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Manufacture of Charcoal) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Manufacture of Charcoal) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”) Title
2. No person shall manufacture charcoal for commercial purposes in the area of authority of the Assembly unless he obtains a licence from the Assembly to do so. Prohibition of manufacture
3. No person shall cut down or fell any economic tree or tree in a forestry reserve area or protected or wild life area for the manufacture of charcoal. Prohibition of cutting

economic tree

4. No one shall by himself or an agent or servant sell, transport distribute or supply any charcoal within the area of authority of the Assembly unless he holds a licence from the Assembly to do so. Conveyance of charcoal.
5. The licence shall expire on the 31st day of 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. Fees.
6. Any person who is granted a permit to cut or fell an economic tree shall replant as many trees of the same or similar stock within 60 days as the Assembly may determine in consultation with the Department of Agriculture and the Natural Resources Conservation Department of the Assembly. Re-plant
7. No manufacturer of charcoal shall disturb or harm wild life and habitat or cause soil erosion Environmental protection and deforestation
8. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine of 100 penalty units or a term of imprisonment not exceeding six months or to both Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

SIGNED/ STAMP

PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Outbreak of Fire) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Outbreak of Fire) Bye-law. 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title
2. The Assembly shall take necessary steps to
 - (1) Create and sustain awareness of hazards posed by outbreak of fires in human settlement
 - (2) Emphasize the role of the individual in the prevention of fire
 - (3) Prevent developmental activities that may give rise to outbreak of fire
 - (4) Engage the Ghana Fire Service in its spatial development plans
 - (5) Set up Fire Volunteer Squads with the advise of the Ghana Fire Service who shall provide necessary training from time to time.
3. (1) Any public officer or person duly authorized by the Assembly or member of a Fire Volunteer Squad may without leave of the owner or occupier of land or premises: Power of entry
 - (a) enter and, if necessary break into any premises or place in which a fire has or is believed to have broken out or in which it is necessary,
 - (b) to enter for the purpose of extinguishing or dealing with outbreak of fire.
 - (c) do all things on the premises or place as may be necessary for extinguishing or dealing with the fire
 - i. enter any land or premises to secure the use of water under the control of any person;

- ii. to improve access to the meter; and
- iii. to lay or maintain pipes to carry out other works in connection with the use of water.

(2) In doing any of the acts or things contained in section 3 (1) of this Bye-law, a public officer or other shall if it is practicable or reasonable to do so, give notice to the occupier before proceeding to do the acts or things.

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|----|--|----------------------------|
| 4. | Any person authorized by the Assembly may close to traffic any street or stop or regulate the traffic in any street whenever it is reasonably necessary for the purpose of dealing with outbreak of fire or protect life and property. | Control of Traffic |
| 5. | No person shall for any reason do any of the following:
(1) negligently start a fire
(2) knowingly or without lawful authority give or cause to be given false alarm of fire.
(3) willfully obstructs or interferes with a fireman or any person authorized by the Assembly or other in the performance of any function related to outbreak of fire;
(4) fail without reasonable excuse to furnish necessary information requested from him by fireman and who
(5) give information in response to a request made by a firefighter which he knows to be false, or which he has reasonable ground to believe to be untrue. | Offences |
| 6. | (1) The Assembly shall set up a committee to enquire into the origin of any fire outbreak within its area of authority.
(2) The committee shall make necessary recommendations to the Presiding Member
(3) The Presiding Member shall submit any such recommendations for the deliberation of the Assembly at its next meeting. | Enquiries and enforcement. |
| 7. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of 100 penalty units or a term of imprisonment not exceeding six months or to both. | Penalty. |
| 8. | Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. | Civil action |
| 9. | In this Bye-law unless the context otherwise requires:
“owner” and “occupier” respectively includes any tenant or lessee, and the attorney or agent of any owner or occupier | Interpretation |

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Physical Development & Building) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

- | | | |
|----|--|------------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Physical Development & Building) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). | Title. |
| 2. | The Assembly, is the planning authority and:-
(1) shall make physical development plans including, land use, improvement and management of human settlements and the environment; | Authority of Assembly. |

- (2) shall make rules and regulations to control and enforce development plans as required under sections
- (3) shall take necessary steps to deal with the erection of any building or other structures without a permit or in contravention of any of the Bye-Laws of the Assembly, and
- (4) may order immediate stoppage of the execution of any work.
3. (1) The Assembly by its Planning Authority may grant a permit for any development conditionally or unconditionally and may refuse to grant a permit. Permit and control
- (2) Any building constructed or in the process of construction without a permit may be prohibited, abated, removed, pulled down or altered whether or not a permit would have been granted on application made by the owner or his agent.
- (3) In the event of the authority carrying out the prohibition, abatement removal, pulling down or alteration the Planning Authority may recover any expenses incurred from the owner of the land as if it were the debt due to the Assembly.
- (4) (a) Every person shall before constructing a building or other structure or undertaken any work, obtain a permit from the Planning Authority which shall contain such conditions as the Planning Authority may consider necessary
- (b) The Authority may give notice in writing in the form prescribed in the Schedule hereto to any person who without a permit or in contravention of this Bye-Law
 - i. is constructing a building or other structure;
 - ii. has constructed a building or other structure; or
 - iii. is working or executing work.
- (c) The Authority may require the person by notice in writing to show sufficient cause why the building, structure or work should not be removed altered or pulled down.
- (d) If the person fails to show any sufficient cause the Planning Authority shall by notice order, the person within a specified time to remove, alter or pull down the building, structure or other work at his own expense.
4. If the person fails to comply with the order the Planning Authority may carry out the removal alteration or pulling down and recover any expense from the person as if it were a debt due from the person to the Assembly.
5. (1) The Planning Authority may in writing require any person to furnish it with such information as may be required for the discharge of its functions under the Bye-Laws of the Assembly. Request for Information
- (2) Any person who has been requested to furnish such information shall not
 - (a) fail to comply with the request.
 - (b) furnish information which he knows to be false.
6. (1) Any person with a permit from the Assembly to construct a building or structure or similar development shall commence the permitted development and plant an economic tree within a period of one year. Time within which to commence.
- (2) The period shall begin to run three months from the date the permit was granted.
7. The person shall, in writing, notify the Planning Authority and the person representing the electoral area in the Assembly of the date he intends to commence the development. Notice to commence
8. (1) If the person fails to commence the permitted development on or before the stipulated time the Planning Authority shall, in writing, request the person to show sufficient cause why he has not commenced. Failure to commence
- (2) The request shall be copied to the Chairperson of the Development Planning sub-committee of the Assembly.

- (3) If the person succeeds to show sufficient cause why construction had not commenced, the Planning Authority shall, by notice, order the person to do so within one month
 - (4) If the person fails to comply with the order of the Planning Authority, the building permit shall lapse.
 - (5) The holder of a permit to build whose permit has elapsed shall pay a penalty which may be recovered as a civil debt together with costs.
9. (1) Any person who commences permitted development shall complete the development within three years. Time within which to complete
 - (2) The period shall begin to run from the date the permit was granted.
 10. (1) If the person fails to complete the development within the stipulated time, he shall be required to pay a fee fixed by a resolution of the Assembly. Fee
 - (2) On payment of the fee the indolent developer or builder may seek extension of time within which to complete the development and same shall be granted on terms
 - (3) If the person fails to complete the development within the extended period and fails to show sufficient cause why the Planning Authority may for the purpose of promoting expeditious development and a healthy environment acquire the property as agent of a private developer or other.
 - (4) All expenses incurred in respect of the sale or acquisition of the uncompleted property or other shall be paid by the defaulting developer and same shall be deducted from the purchase price of the property.
 11. (1) Any officer of the Planning Authority may enter upon the land or any part of land or any building whether or not there is a permit to develop or build. Entry on land by officer.
 - (2) The officer may there upon make such inspection, survey, studies, examination or investigation as may be necessary for the performance of the functions of the Planning Authority.
 - (3) No such officer shall be personally liable for any act done in good faith in the performance of any function or the execution of any duty under this Bye-Law.
 12. A person commits an offence who Offences.
 - (1) acts without a permit as required under this Bye-Law.
 - (2) willfully obstructs or interferes with or misleads any officer of the Planning Authority.
 - (3) fails without reasonable excuse to comply with any notice or order given under this Bye-law;
 - (4) contravenes any of the provisions of this Bye-law, and
 - (5) in any way interferes with the Assembly in the exercise of its Authority under this Bye-Law
 13. Any person who commits an offence under this Bye-Law shall be liable on summary conviction to a fine or term of imprisonment not exceeding six months or to both. Penalty
 14. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Prosecution, Control and Enforcement) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). Title.
2. Any person who in relation to the management of records, finance, logistics, procurement and accounts is alleged to have contravened any of the provisions of the Bye-laws of the Assembly may be subjected to one or more of the following processes: Offences
 - (1) prosecution
 - (2) civil action
 - (3) internal disciplinary procedure
3. (1) The Public Prosecutor may initiate criminal proceedings or commence action by issue of a writ of summons in reliance on material facts or guidelines contained in: Prosecutor
 - (a) resolutions of the Assembly;
 - (b) the recommendation of the Chief Executive;
 - (c) reports of the Executive Committee;
 - (d) the recommendations of the Internal Audit Unit;
 - (e) the recommendation of the Public Relations and Complaints Committee; and
 - (f) the recommendation of Sub-committee of the Assembly.

(2) The decision to prosecute shall be the unfettered discretion of the Public Prosecutor.
4. The following bodies may take necessary and timely steps to secure the full execution of recommendation contained in reports of the Internal Auditor and any other allegations of financial and other acts of misconduct: Executing Bodies
 - (1) Audit Report Implementation Committee,
 - (2) Sub-Committee of the Assembly, and
 - (3) Special Committee of the Assembly.
 - (4) Public Relations and Complaints Committee
5. Any of the foregoing bodies shall in their deliberations and as a matter of course ensure that persons affected by adverse reports, complaints, recommendations and enquiries are given full opportunity to be heard, and that justice is not merely proclaimed to be done but seen to be done by the neutral by-stander. Natural justice.
6. The Audit Report Implementation Committee shall take all necessary steps to ensure: Audit Report. Committee. Implementation
 - (1) the expeditious implementation of any recommendations through monitoring and follow-up;
 - (2) that any fraud or irregularity reported are properly and expeditiously investigated and acted upon
 - (3) that appropriate and timely legal and disciplinary actions are taken.
 - (4) that control systems operate to contain misuse or misdirection of Assembly resources, and
 - (5) that effective risk management practices are in place to promote accountability and transparency
7. (1) Any person being an Officer of the Central Administration of the Assembly may, on oath, make a complaint of a cause or matter to be brought before a Court. Private Prosecutor And Intervention of Public Prosecutor.
 - (2) Any such Officer shall be known as Private Prosecutor
 - (3) The Officer may conduct the prosecution of the cause or matter to which the complaint relates either in person or by a lawyer.

- (4) A Public Prosecutor may, at any stage of any cause or matter being prosecuted by a Private Prosecutor intervene and assume the prosecution of the cause or matter.

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|-----|---|---|
| 8. | The functions of the Public Prosecutor additional to functions expressly or impliedly provided in this Bye-law shall include the following: | Functions of Public Prosecutor |
| | <ul style="list-style-type: none"> (1) make due complaints to the Police with notice to both the Co-ordinating Director and Justice and Security Sub-committee (2) prosecute causes or matters that relate to the affairs, interest and property of the Assembly (3) ensure that the polluter pay principle applies; (4) ensure that crimes of strict liability or liability without fault are treated as such; (5) ensure that the environment is protected and environmental abuse is punished (6) ensure that the Bye-laws of the Assembly are used as instruments for discipline and revenue generation | |
| 9. | Any employee or agent of the Assembly who misconducts himself in any of the following ways may be prosecuted or subjected to due disciplinary process | Acts of misconduct. |
| | <ul style="list-style-type: none"> (1) tampers with information or data base, (2) fraudulently assesses a tax payer in the determination of tax payable, (3) collects but fails to lodge revenue due to the Assembly, (4) fraudulently supervises persons entrusted with the collection and generation of revenue. (5) deliberately or recklessly being a supervisor fails to take reasonable precautionary measures, or at all, against fraud, embezzlement, misapplication and misappropriation of property belonging to the Assembly. (6) and imposes economic or financial loss on the Assembly | |
| 10. | Any Revenue Collector or Cashier or other involved in the collection and management of revenue who fails to do any of the following acts or things commits an offence. | Default of collectors/ cashiers. |
| | <ul style="list-style-type: none"> (1) issue official receipts, tickets and licences acknowledging monies paid by tax payers, (2) ensure that all revenues due are collected promptly, banked intact and entered in the appropriate books of accounts of the Assembly (3) maintain cash books and safeguard and control all stock of used and unused receipt books, tickets and licences entrusted to them, (4) prepare monthly returns of revenue collected and appropriate reconciliation, | |
| 11. | (1) Any member of the Executive Committee of the Assembly, employee, agent who does any of the following acts or things commits an offence. | Breach of procurement practices. |
| | <ul style="list-style-type: none"> (2) ignores the role of ethics in procurement matters, (3) introduces corrupt and fraudulent practices in procurement matters, (4) offends against any of the procurement rules, practices, matters, quotation requests, and (5) manipulates contract prices into sub-thresholds | |
| 12. | (1) Any of the following acts or omissions not necessarily of criminal nature shall require investigation and necessary action: | Acts calling for investigation / for action |
| | <ul style="list-style-type: none"> (a) allowing another to do what is not required of him. | |

- (b) doing an act other than at the time it is required to be done,
- (c) doing an act at a place other than the place defined in instructions or plans, and
- (d) doing an act by a method other than as defined in instructions or plan .

(2) It shall be no defense that the act or omission complained of caused no loss or serious damage to the Assembly.

13. Any person who contravenes any of the provisions of this Bye-Laws shall be liable on Penalty summary conviction to a fine or a term of imprisonment not exceeding two years.
14. Any penalty imposed on the offender shall be without prejudice to any civil action that Civil action. the Assembly may decide to commence

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Masts Billboards and Signboards) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Masts Billboards and Signboards) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title.
2. No person shall erect a mast, or a billboard, or affix to anything billboard in any public place within the area of authority of this Assembly without a permit. Erection of billboard
3. (1) No person shall erect or affix to anything any signboard meant for notices or signs in any public place within the area of authority of this Assembly without a permit. Erection of signboard.
(2) 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.
4. (1) Every billboard or signboard shall be of appropriate aspects as to design, material and positioning. Specification
(2) The appropriateness of any design, material and positioning shall be as defined by the Assembly.
(3) The Assembly shall by resolution define specifications for billboards and signboards informed by the Advertisement Specifications for Outdoor Signs.
5. (1) Every permit in respect of a billboard or signboard 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. Permit / Fee
(2) Such permit may be renewed for a period of six months or one year as the Assembly shall determine.
(3) There shall be paid in respect of every permit such fee as specified in a Fee Fixing Resolution of the Assembly.
(4) 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. (1) No mast or billboard or signboard shall cause any obstruction, nuisance or damage to motorists and road users or cause harm to the environment. Positioning of signboards and billboards
(2) No billboard and signboard shall be erected or positioned in median and pedestrian walkway.
(3) No masts shall cause any disfigurement to the environment or neighborhood.

- (4) No notice carried in a billboard or signboard shall: Prohibition.
- (a) offend against any of the laws related to public morals, or
 - (b) occasion public nuisance
7. A person commits an offence who: Offence.
- (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
 - (e) causes distraction, danger, or annoyance of persons or motor vehicles, or
 - i. harms any person or vehicle, or
 - ii. prevents or hinders the free passage by any person or vehicle, or fails to obtain necessary permit
8. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine not exceeding 100 penalty units or a term of imprisonment not exceeding six months or both. Penalty
9. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Protection of Forest Wildlife and Habitats) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Protection of Forest Wildlife and Habitats) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title
2. (1) The Assembly is the authority responsible for the sustainable development, management, protection and preservation of wildlife including migratory species, be they endangered or not, and habitats. Authority/ responsibilities of the Assembly
- (2) The Assembly shall at all material times exercise its responsibilities as a trustee in ways not inconsistent with the national laws.
- (3) In the discharge of its duties the Assembly may appoint, permit, authorize or invite traditional authorities, individuals, groups of persons or organizations to assist in:-
 - (a) the formulation of appropriate policies and programmes, and
 - (b) the implementation of the policies and programmes .
 - (c) the formulation of necessary regulatory mechanisms.
- (4) The Assembly shall take reasonable measures to do the following:-
 - (a) Plan for the protection and development of wildlife resources in a sustainable manner,
 - (b) Monitor the condition of wildlife resources,

- (c) Make recommendations to the appropriate Minister through the Regional Co-ordinating Council on timber rights and wildlife license,
 - (d) Ensure sound management of wildlife protection,
 - (e) Undertake relevant wildlife education, information and awareness of the benefits of wildlife
 - (f) Create nature and wilderness reserves, where practicable, and
 - (g) Ensure soil protection.
3. It shall be the duty of every person in the area of authority of the Assembly to do the public duty following acts or things
- (1) to promote the protection of wildlife and habitats
 - (2) to uphold the applicable bye-laws
 - (3) to respect the rights of wildlife and habitats
 - (4) to co-operate with another or others to sustain wildlife and habitats
 - (5) to participate in processes leading to the formulation of policy programmes and regulatory measures in respect of wildlife and habitats.
4. (1) Any person, natural or artificial who is interested in wildlife and is desirous of doing any of the following acts or things shall apply for permit and free technical advice from the Assembly Permit/technical advice.
- (a) investment in the preservation of wildlife,
 - (b) establishment of wildlife reserves,
 - (c) acting as managing and developing agent of wildlife reserves
 - (d) mapping out and preserve and protect the wildlife habitat
 - (e) engaging in the creation of awareness of the benefits of forest wildlife, and
 - (f) establishment of Forest and Wildlife Clubs with the input of the Youth Council, the traditional authorities and the Education Service
- (2) In the exercise of its authority the Assembly may consider applications for
- (a) grant of necessary permit without a fee on terms
 - (b) grant of necessary license without a fee on terms
 - (c) issue of necessary certificates at its cost
- (3) The Assembly may
- (a) cancel, revoke, suspend any permit, license and certificate as of right
 - (b) amend or add to terms and conditions attached to any permit, license or certificate already granted as it may deem just.
5. Any person or body of persons who desires to undertake advocacy or voluntary activities related to wildlife and habitats shall:-
- (a) submit a and licence permit obtained in support of application for free licence,
 - (b) seek and obtain appropriate certificates without charge
 - (c) have an Executive Committee duly registered as such by the Assembly, and
 - (d) have a constitution approved by the Department of National Resources Conservation of the Assembly.
 - (e) satisfied any other conditions that the Assembly may deem fit.
6. Policies, plans and programmes pursued by individuals or groups authorized to deal in wildlife shall be informed by: Applicable Laws
- (1) The Wildlife Protection Act, 1996.

- (2) The Wildlife Conservation Regulations, 1971.and
 - (3) Forestry Commission Act, 1993 (Act 573),
 - (4) Religious Traditions
 - (5) Traditional taboos and values
 - (6) and other Environmental laws and guidelines
 - (7) International conventions binding on Ghana.
7. (1) Any authorized individuals or groups shall accept, or be seen to have accepted that: Understanding expectations.
 (2) they are obliged to operate as trustees of wildlife for present and future generations,
 (3) Wildlife and their habitat belong to the community.
 (4) Traditional laws, norms and taboos have important roles to play in the protection of wildlife.
 8. The Assembly may, Control Mechanisms
 (1) impose pollution and nuisance controls as preventive measures,
 (2) carry out, or require to be carried out any mitigation measures,
 (3) impose any special terms, conditions or constraints as and when it deems just to do
 (4) prescribe criminal sanctions and civil action remedies, and
 (5) facilitate necessary community participation and public hearings.
 9. An appropriate sub-committee of the Assembly shall be set-up and shall meet at least two times every year to deliberate on Sub-Committee
 (1) Game and wilderness reserves
 (2) Land-use planning based on local knowledge and expertise
 (3) Tried plans, policies, programmes and strategies,
 (4) Agricultural practices,
 (5) Sustainable forestry practices,
 (6) Threats to habitats,
 (7) Sustainable biodiversity with species and between species, and
 (8) Threats posed by the use of forest land for non-forest purposes.
 (9) Incidental matters
 10. No person, natural or artificial, shall wantonly or unlawfully or unreasonably do any of the following acts or things Offence
 (a) pollute the air, soil and water of wildlife habitat by any means,
 (b) engage in noise pollution to infuriate, upset or annoy any wildlife,
 (c) take, or
 (d) carry, or
 (e) transport, or
 (f) control, or
 (g) make claim to ownership, or
 (h) kill, or
 (i) harm, or
 (j) sell or offer for sale any wildlife, or
 (k) breach any taboos or traditional norms meant to protect and preserve forest wildlife.

11. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine of 100 penalty or to a term of imprisonment not exceeding two years or to both. Penalty
12. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action.
13. The sanctions and penalties in respect of breach of any of the bye-laws shall vary by reference to the gravity of the offence or default but will include:- Sanctions
- (a) Sanctions recommended by a traditional authority approved by the Justice and Security Sub-Committee who shall seek a resolution of the Assembly to give enforceable effect
 - (b) Sanctions recommended by the Natural Resources and the Conservation Department of the Assembly
 - (c) injunctive order
 - (d) indemnities or compensatory damages
 - (e) restitution order where the situation can be restored to its pre-injury state, and
 - (f) any other relief/penalty that may be deemed just
14. In this Bye-law, unless where the context otherwise requires: - Interpretation
- “Soil” is the part of the Earth between its surface and its bedrock.
- “Environment” includes that part of nature which is or could be influenced by human activities. “Migratory species” is the entire population or any geographically separate part of the population of a species of wild animals that habitually and predictably crosses one or more national jurisdictional boundaries and includes not only birds and reptiles.
- “Endangered” means any species that is in danger of extinction.
- “Wilderness Reserve” is a large roadless area of undisturbed vegetation where most human activities are prohibited or are specially permitted and regulated.
- “pollution” is damage caused by air emissions, noise, solid waste, contaminated water, soil degradation, littering, sewage, oil and chemicals.
- “Nature Reserve” is a place within which it is strictly forbidden to hunt or exploit any natural resources or perform any act likely to harm or disturb wildlife.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Forestry Resources and Protected Areas) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Forestry Resources and Protected Areas) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as “The Assembly”). Title
2. The Assembly is responsible for the sustainable development of the forest resources in its area of authority and shall in the discharge of that responsibility: Responsibilities of the Assembly
- (1) facilitate the creation of awareness that forests are essential for the maintenance of all forms of life and function in an economic capacity,
 - (2) encourage investment in commercial timber,

- (3) facilitate the establishment and maintenance of tree nurseries and forest plantations for sale,
 - (4) promote and support the establishment of private nurseries, woodlots, fodder poles and timber,
 - (5) facilitate replanting or re-forestation of degraded land and water courses, and
 - (6) advise on measures to prevent soil erosion and degradation.
3. It shall be the civic duty of every person in the area of authority of the Assembly to do the following acts or things Civic Duty
- (1) Promote, safeguards and protect forestry resources and protected areas
 - (2) uphold the environmental laws
 - (3) protect the rights of forestry resources and protected areas
 - (4) co-operate with another or others to sustain forestry resources and protected area
 - (5) participate in the processes leading to the formulation of regulatory measures to protect the forestry resources and protected areas.
4. Any person who desires to do any of the following things shall first obtain a permit: Permit
- (1) invest in commercial timber plantation
 - (2) establish and maintain tree nurseries
 - (3) establish and maintain forest plantation
 - (4) engage in replanting or reforestation of degraded land, and
 - (5) invest in industrial timber, reforestation and forest management activities
5. (1) No person shall do any of the following acts or things Offence
- (a) act without authority in matters related to forestry resources and protected areas,
 - (b) in any way obstruct the Assembly in the discharge of its responsibilities as contained in section 2 of this Bye-law,
 - (c) interfere with the Natural Resources Department of the Assembly in the proper discharge of its functions,
 - (d) act as to cause deforestation or degradation of forest, soil or land,
 - (e) injure soil and plant life in any area mapped out for preservation and protection,
 - (f) assign to any person any forest land or portion owned, managed or controlled by the state
 - (g) declare a reserved forest area to be no longer reserved,
 - (h) use any reserved forest land for non-forest purposes,
 - (i) unlawfully or maliciously destroy nursery seeds,
 - (j) remove trees from any forest reserve without authority,
 - (k) occupy a forest reserve,
 - (l) interfere with areas mapped out for natural environment, preservation and protection,
 - (m) act as to adversely affect the sustainable development of timber-producing forests,
 - (n) enters upon a forest reserved area with or without chain saw or other instruments, and
 - (o) in any other way disturb the ecological balance of forests,
- (2) It shall be no defense 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.

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| 6. | Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine 100 penalty units or a term of imprisonment not exceeding two years or to both. | Penalty |
| 7. | Any penalty imposed on the offender for an offence or breach provided in this Bylaw shall be without prejudice to any civil action that the Assembly may decide to commence | Civil action |
| 8. | The sanctions and penalties in respect of breach of any of the bye-laws shall vary by reference to the gravity of the offence or default but may include one or more of the following:- | Sanctions |
| | (1) Sanctions recommended by the traditional authority approved by the Justice and Security Sub-Committee who shall seek the resolution of the Assembly to give same enforceable effect. | |
| | (2) Sanctions recommended by the Natural Resources and the Conservation Department of the Assembly. | |
| | (3) Sanctions by way of resolution of the Assembly | |
| | (4) injunctive order | |
| | (5) indemnities or compensatory damages | |
| | (6) restitution order where the situation can be restored to its pre-injury state, and | |
| | (7) any other relief/penalty that may be deemed just. | |

SIGNED / STAMP

JOSEPH ABAN-MENSAH
Presiding Member

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PETER KWESI THOMPSON
Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Cultural and Natural Heritage Conservation) Bye-law, 2014
In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

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|----|---|------------------------|
| 1. | This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Cultural and Natural Heritage Conservation) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). | Title. |
| 2. | (1) The Assembly has a primary responsibility as trustee to ensure the conservation of the human-made and natural cultural heritage in its area of authority for future generations.
(2) The Assembly shall take necessary steps to: | Primary Responsibility |
| | (a) formulate appropriate regulatory mechanisms informed by this Bye-Law. | |
| | (b) 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. | |
| | (c) map out areas to be designated natural environment for preservation and protection. | |
| | (d) acquire any historical building or archaeological sites, whether it owns the land or not, | |
| | (e) remove antiquities from any land whether it owns it or not, | |
| | (f) ensure participatory co-management that involves the traditional authorities fully in decision making | |

- (g) give the heritage a function in the life of the community.
 - (h) integrate the protection of any heritage into part of its policies and programmes.
 - (i) require the Chief Executive to ensure the timely publication of bi-annual reports on the measures that have been taken to ensure the preservation of cultural and natural heritage, and
 - (j) ensure that unique eco-systems, genetic resources or any outstanding natural features remain what nature made them to be.
- (3) In doing the foregoing the Assembly shall act as implied agent or other of the central government and accountable to the relevant central government structures.
- (4) The Assembly shall take measures necessary to create public awareness that culture includes tangibles and intangibles and that it is beneficial to society to protect, maintain and conserve them.
3. It shall be the duty of any person in the area of authority of the Assembly to do the following acts or things Duty
- (1) promote and protect cultural heritage.
 - (2) promote and protect natural heritage.
 - (3) contribute to the documentation of the cultural and natural heritage
 - (4) contribute to the formulation of necessary regulatory measures in protection and preservation of the cultural and natural heritage.
 - (5) 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.
4. No person or tourist enterprise shall do any of the following: Prohibition
- (1) cause the deterioration or disappearance of natural sites and other tangible aspects of cultural heritage.
 - (2) threaten any item of cultural heritage with destruction.
 - (3) cause the deterioration or disappearance of tangible cultural items.
 - (4) carry out an activity likely to disturb things that form part of the cultural heritage or the aesthetics or characteristics of unique landscape.
 - (5) engage in industrial, commercial, economic or physical developmental activity that causes or threatens to cause damage to natural heritage.
 - (6) import, export, transfer ownership of cultural property deemed as such by the Assembly and/or the community.
 - (7) produce the situation in which water, land and air are polluted to cause damage to natural heritage.
5. Any person may, whenever that person reasonably feels or finds that the Assembly or other is not acting fairly or satisfactorily as trustee of heritage, proceed on the basis that every individual has a trust or mandate to be exercised in the interest of present and future generations and may in that capacity commence an action against the Assembly or other by the issue of writ of summons. Public interest litigation
6. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine or a term of imprisonment not exceeding two years. Penalty
7. Any penalty imposed on the offender for an offence or breach provided in this Bye-law shall be without prejudice to any civil action that the Assembly may decide to commence. Civil action
8. The sanctions and penalties in respect of breach of any of the bye-laws shall vary by reference to the gravity of the offence or default but may include one or more of the following:- Sanctions

- (1) Sanctions recommended by the traditional authority approved by the Justice and Security Sub-Committee who shall seek the resolution of the Assembly to give same enforceable effect.
- (2) Sanctions recommended by the Natural Resources and the Conservation Department of the Assembly.
- (3) Sanctions by way of resolution of the Assembly
- (4) injunctive order
- (5) indemnities or compensatory damages
- (6) restitution order where the situation can be restored to its pre-injury state, and
- (7) any other relief/penalty that may be deemed just

SIGNED / STAMP

JOSEPH ABAN-MENSAH

Presiding Member

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PETER KWESI THOMPSON

Secretary to the Assembly

Tarkwa Nsuaem Municipal Assembly (Control and Promotion of Tourism) Bye-law, 2014

In exercise of the powers conferred on the Tarkwa Nsuaem Municipal Assembly by section 79 (1), (2) and (3) of the Local Government Act, 1993 (Act 462) the following Bye-law is hereby made:

1. This Bye-law may be cited as the Tarkwa Nsuaem Municipal Assembly (Control and Promotion of Tourism) Bye-law, 2014 and shall apply to the area of administration of the Tarkwa Nsuaem Municipal Assembly (hereinafter referred to as "The Assembly"). Title
2. The Assembly has power to:- Power of Assembly
 - (1) Deliberate and implement policies on tourism within the framework of national policy and guidelines.
 - (2) promote and develop tourism
 - (3) Collect and disseminate statistical data and other information on tourism.
 - (4) Identify, and document tourism sites
 - (5) Encourage private sector participation in the development of tourism
 - (6) Facilitate the establishment and maintenance of facilities or centres of excellence for the arts and crafts for recreation and posterity.
3. It shall be the duty of the Assembly to do the following things or acts Civic Duty
 - (1) promote and support tourism
 - (2) promote and protect environmental quality essential to tourism
 - (3) protect the environment against adverse activities of tourism and
 - (4) participate in the processes leading to the formulation of regulatory measures in protection of the environment against the acts or omissions of tourism.
4. The Assembly shall in doing the acts contained in section 2 of this Bye-law ensure that:- Obligations
 - (1) National environmental laws are built into the bye-laws
 - (2) Individualized controls are imposed where necessary
 - (3) Any permit or license issued shall take account of the needs of the environment.
 - (4) Conditions written into licenses are reviewed periodically.
 - (5) Activities that may have consequences for the environment are effectively monitored.
 - (6) Pollution emissions do not surpass defined limits or result in excess of ambient environmental standards.
 - (7) Effective land use regulations to protect critical habitats and landscape are enforced

5. The Assembly shall facilitate the creation of awareness on the following aspects of tourism: Creation of awareness
 - (1) It is a potential employer and deserves support.
 - (2) It thrives on a sound or unique environment.
 - (3) It puts pressure on natural resources, in particular water and landscape
 - (4) The tourism industry needs regulatory mechanism to ensure the protection and preservation of the natural environment
6. No tourism entity shall undertake any activity that is likely to:- Prohibited activities
 - (1) Impact adversely on the natural environment
 - (2) Cause distress or injury to wildlife, their habitat and normal activity patterns
 - (3) Generate large amounts of solid waste and sewage that are released onto or into the environment
 - (4) Cause degradation of ecosystem
 - (5) Cause loss of biodiversity
 - (6) Pollute the air, fresh water and marine water
 - (7) Cause soil erosion or degradation
 - (8) Cause deforestation, and
 - (9) Cause noise pollution harmful to wildlife and humans
7. Any tourist enterprise doing business in the area of authority of the Assembly shall: - Obligations
 - (1) contribute to environmental conservation by raising awareness of environmental concerns,
 - (2) within its means, finance necessary protection of proximate natural areas
 - (3) abstain from activities that can adversely affect the environment, or destroy or damage environmental resources, including pollution.
 - (4) avoid deterioration of scenery and soil quality,
 - (5) avoid any distress or harm to wildlife, and
 - (6) avoid loss of biodiversity and alternations in normal activity patterns of wild life and ecosystems
8. A tourist enterprise or other shall not by any means Prohibitions
 - (1) hunt, take, capture, harm, carry, transport, posses, kill, destroy, sell or offer for sale or buy or offer to buy or sale any wildlife in full or alive or dead, in part, as meat or other for consumption or sale or other
 - (2) act in breach of any taboo or traditional norm,
 - (3) act in a manner consistent with negligence or nuisance, and
 - (4) offend against any provisions related to wildlife and the environment contained in any of the Bye-Laws of the Assembly.
9. Any person who contravenes any of the provisions of this Bye-law shall be liable on summary conviction to a fine of 100 penalty units or a term of imprisonment not exceeding two years or both. Penalty
10. The sanctions and penalties in respect of breach of any of the bye-laws shall vary by reference to the gravity of the offence or default but may include one or more of the following:- Sanctions
 - (1) Sanctions recommended by the traditional authority approved by the Justice and Security Sub-Committee who shall seek the resolution of the Assembly to give same enforceable effect.

- (2) Sanctions recommended by the Natural Resources and the Conservation Department of the Assembly.
 - (3) Sanctions by way of resolution of the Assembly
 - (4) injunctive order
 - (5) indemnities or compensatory damages
 - (6) restitution order where the situation can be restored to its pre-injury state, and
 - (7) any other relief/penalty that may be deemed just
11. in this Bye-Law unless the context otherwise requires: ‘‘Person’’ means ‘‘ body corporate, chairperson, president or chairperson or head of a 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.

SIGNED / STAMP
JOSEPH ABAN-MENSAH
Presiding Member

SIGNED/ STAMP
PETER KWESI THOMPSON
Secretary to the Assembly