



REPUBLIC OF GHANA

# LOCAL GOVERNMENT BULLETIN

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**Old Tafo Municipal Assembly (Environmental Sanitation) Bye-laws, 2020**

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

**1. Prohibition of Deposit of Litter and Refuse:**

A person commits an offence if that person,

(a) Deposit, throw, and left, any earthenware, tin, carton, paper, bottles, nails, plastics or other sharp objects on any street, yard, premises or public open space; or

(b) Place, dump, deposit or leave human excreta on any street, yard, premises or public open space

(c) Place, deposit, and leave orange peel, banana skin or the skin of any fruit or the leaves or refuse of any vegetable or any offensive, unwholesome or dangerous substance on any public open space; or

(d) Cause or permit any carrion, filth, refuse, litter or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or public open space otherwise than in a receptacle or place provided by the Assembly for that purpose.

(e) Deposit or place or leave or cause or permit to be deposited, placed and left in any dustbin provided for the reception of domestic refuse any liquid or faecal matter.

**2.** A person who contravenes subsection (1) is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for not more than four months or both.

Litter and refuse not to be swept into streets or specified places

**3.** A person shall not,

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

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

**4.** A person who contravenes subsection 3 (1) commits an offence and is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for not more than four months or both.

**5.** If any offender under section 1(d) of this Bye-law has not been identified or discovered the existence of any carrion or other substance mentioned in the said section found close to any building is presumed to have been placed by the owner or occupier.

**6. Removal of Weeds and Rubbish:**

(1) A person shall,

(a) Being an occupier or owner of any premises or building plot does keep free from all dirt, under bush, under-wood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter on the streets or roads at the front, back sides, thereof, with the drains, gutters and channels,

- (b) Cut down weeds by cutlass or mower to prevent erosion.
- (c) Not use chemical or any substance that can kill weeds within the community.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

7. Provided that where two or more buildings abound on the streets or roads, the occupier of each shall keep clean only that half of the street or road nearest to that premises.

8. A person who alleges that, a person is not the occupier or owner of that premise the proof of such allegation shall lie upon that person.

### 9. Littering of Lorry Parks:

A person shall not,

(a) Place or cause to be placed any refuse, rubbish or any offensive or unwholesome matter at any lorry park except at approved places commit an offence and is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for a term not exceeding six months.

### 10. Obstruction:

A person commits an offence if that person obstructs any officer of Old Tafo Municipal Assembly in the performance of official duty and is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for not exceeding six months or both.

### 11. Nuisance:

(1) A person shall not,

- (a) Cause a nuisance in any public or open space; or
- (b) Defecate in open space; or
- (c) Being an occupier or owner of a premise allows the existence of a nuisance in that premises; or
- (d) Carry out any trade, vocation or business that causes nuisance, or odour or;
- (e) Permit his or her domestic waste water (sullage) to flow into a public drain or an open space except in a soak-away.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

### 12. Abatement of Nuisance:

(1) The Old Tafo Municipal Assembly may serve notice in the prescribe form on the person responsible for the nuisance, requiring that person to abate the nuisance within the time specified in the notice in accordance with the directives issued by the Environmental Health and Sanitation Department of the Assembly.

(2) A notice served under subsection (1) shall specify the nuisance and the steps required to be taken to abate the nuisance.

(3) Where notice issued under this section is not complied with, the Old Tafo Municipal Assembly may carry out the abatement and recover the costs from the person responsible for the nuisance as if it were a debt due from that person to the Old Tafo Municipal Assembly.

**13. Proceedings Against Several Persons:**

(1) Where a nuisance appears to be wholly or partly caused by the acts or defaults of two or more persons, the Assembly may, in its discretion institute proceedings against the one of, or all of them.

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

**14. Power of Entry to Detect or Abate Nuisances:**

An environmental health officer shall have the power to enter any premises between six in the morning and six in the evening for the purpose of examining as to the existence or continuance of any nuisance, or of abating any nuisance.

**15. Failure to Provide Name or Giving False Name:**

A person commits an offence if that person refuses to give that person's name when required to do so or gives false name to an Environmental Health officer during an inspection of premises and is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment not less than three months or both.

**16. Arrest of Offenders:**

A person who commits an offence punishable under section 13 (1) may be arrested without a warrant by a police officer or environmental health officer and delivered into the custody by a police officer, who shall, within forty-eight hours, put that person before a Court.

**17. Service of Notice:**

- (1) Where in this Bye-law written notice is required to be served on a person, the notice is served if;
- (a) Sent by registered post to the last known postal address of the person to whom the notice is being served.
  - (b) Delivered personally to the person to be served;
  - (c) Delivered to the agent of the person to be served;
  - (d) Left with an adult person at the residential or business address of the person to be served;
  - (e) Left with an adult person at the premises in respect of which the notice is to be served;
  - (f) Posted at a conspicuous part of the premises in respect of which the notice is to be served.

(2) Where the person to be served is a Corporation, company or partnership, a notice is served if sent by registered post and addressed to any of the officers of the Corporation, Company or partnership.

(3) A notice served by registered post shall start to run from seven days after the notice was put in the mail box.

**18. Prohibition of the Deposit of Waste Materials into Drains and Open Spaces:**

A person commits an offence if that person deposit litter, refuse or other matter into a public drain, gutter or open space and is liable on summary conviction to fine of not less than one hundred penalty units or to imprisonment for not more than six months or both.

**19. Application:**

These Bye-laws shall apply within the area of authority of the Old Tafo Municipal Assembly.

**20. Revocation:**

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

**21. Title:**

This Bye-laws may be cited as Old Tafo Municipal Assembly (Environmenta Sanitation) Bye-laws, 2020

**22. Interpretation:**

“Nuisance” means any activity, operation, works, action, neglect or any effect of it on, in, under or over land which is offensive, injurious or prejudicial to amenity, public health, public safety, public peace, public convenience or the local economy

“Occupier” means the tenant or person in occupation of such premises, excluding, however, any person who is merely a lodger.

“Owner” means a person who is executor or administrator/administratrix of the premises and include person who has legal or beneficial interest in the premises.

“Premises” includes buildings, lands, easements, and hereditaments of any tenure, whether open or closed, whether built on or not, whether maintained or not. “refuse” means rubbish or waste materials generated in either private or public areas and may consist of mainly vegetable matter, synthetic materials, empty cans and broken bottles;

**23. Application:**

These Bye-laws shall apply within the area of authority of the Old Tafo Municipal Assembly

**24. Revocation:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

.....  
*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

**Old Tafo Municipal Assembly (Sale or Serving of Unwholesome Food and Drink) Bye-laws, 2020**

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

**1. Sale or Serving of Food and Drinks:**

(1) A person shall not,

- (a) Operate a food or drink premises unless that premises had been licenced by the Assembly or;
- (b) Serve or offer for sale food or drink that is unwholesome or;
- (c) Prepare, package, convey, store, or display for sale, food or drink under insanitary conditions or;
- (d) Prepare, package, convey, or display for sale food or drink unless that person has undergone medical examination and issued with medical certificate or;
- (e) Sell, offer or expose for sale food intended for but unfit for human or animal consumption;
- (f) Sell, distribute for sale, exhibit for sale or stock for sale any food or drink product which does not have the dates of manufacture and expiry on that food or drink;
- (g) Sell, distribute for sale or exhibit for sale any food or drink product the expiry date for which has expired.
- (h) Sell canned foods, bottled and sachet drinks and water that are displayed in the open sun.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for a term not exceeding six months or both.

(3) Where an offence is committed by a person under subsection (1) (a), that person as well as a person instructed by that person commit an offence and are liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment not exceeding six months or both.

**2. Interpretation:**

In these Bye-laws unless the context otherwise requires

“Unwholesome” means any packaged food or drinks without an expiry date or which has expired or damaged, dented, bulging or leaked tin food or drinks and include sale of slaughtered cattle, goat, sheep, or pig not inspected and certified by the Veterinary or Environmental health officer.

**3. Application:**

These Bye-laws shall apply within the area of authority of the Old Tafo Municipal Assembly

**3. Title:**

This Bye-law is cited as the Old Tafo Municipal Assembly (unwholesome sale of food and drink) Bye-laws, 2020.

**4. Revocation:**

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

Made at a meeting of the ..... Assembly held on the .....

SIGNED

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Solid and Liquid Waste Management) Bye-laws, 2020**

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

#### **1. Disposal of Domestic and Other Refuse:**

- (1) A building for residential, commercial, industrial, civic or cultural use shall have a facility for refuse disposal.
- (2) Each dwelling units shall have a standardized dustbin or other receptacle approved by the Old Tafo Municipal Assembly in which all refuse generated is stored temporarily.
- (3) The refuse container shall be located at an approved position.
- (4) The capacity of a refuse container shall be of such size as to be sufficient to store refuse generated for at least two days.
- (5) The refuse shall be collected at a frequency not less than twice weekly by the Old Tafo Municipal Assembly, or by an agent appointed by the Old Tafo Municipal Assembly, from door to door.
- (6) Where door to door collection of refuse is not feasible, the refuse shall be taken daily to the approved transfer station in the neighborhood by the residents of the dwellings.
- (7) Containers for the storage of industrial, commercial, institutional and other refuse shall be of a size and type approved by the Old Tafo Municipal Assembly
- (8) Hazardous refuse shall be handled separately from domestic refuse.
- (9) Collection of refuse from industrial, commercial and institution premises shall be on a daily basis.

#### **2. Disposal of Liquid Waste:**

- (1) No person or group of persons shall allow faecal matter from their domestic or commercial toilet to flow out.
- (2) A person who discharges or dumps human excreta into an open space, drains, water bodies or roof-top commits an offence.

#### **3. Management of Public Toilets:**

- (1) Managers of public toilets shall:
  - (a) Sign agreement with the Assembly.
  - (b) Register with Assembly and obtain permit.
  - (c) Ensure that the toilet is always kept clean.
  - (d) Pay the appropriate monthly fee to the Assembly.
- (2) No person or group of persons shall put up a public/commercial toilet without the approval of the Assembly.

#### **4. Transfer Stations:**

- (1) Transfer stations either of the stationary type or non-stationary type shall be located at vantage points within cities, towns and villages for temporary storage of refuse from dwelling and other habitable premises.



- (2) The siting of the transfer station in a community shall be such that the walking distance does not exceed 200m.
- (3) For the zonal councils the non-stationary transfer stations in the form of roll on-roll-off container of capacity of not less than 8m shall be used.
- (4) Material used for the construction of a container shall be durable and the container shall be provided with a tight-fitting cover or lid.
- (5) The stationary transfer station shall be in the form of a permanent masonry structure so constructed as to minimise spreading and scavenging activities.
- (6) Preferably the refuse shall be protected from rain.
- (7) A ramp or suitable facility shall be provided to facilitate loading onto refuse trucks.
- (8) Refuse from the transfer stations shall be collected at least every other day.

### 5. Application:

These Bye-laws shall apply within the area of authority of the Old Tafo Municipal Assembly

### 6. Title:

This Bye-law is cited as the Old Tafo Municipal Assembly (Solid and Liquid Waste) Bye-law, 2020.

### 3. Revocation:

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

.....  
*Presiding Member*

.....  
*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

**Old Tafo Municipal Assembly (Collection and Disposal of Wastes) Bye-laws, 2020**

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

**1. Prohibition of Unlicensed Collection of Wastes:**

A person shall not

- (a) Engage in the collection and disposal of waste as a business without licence from the Old Tafo Municipal Assembly;
- (b) Place or deposit waste on any land or cause or knowingly allow waste to be placed on any land;
- (c) Use any plant or equipment, or cause or knowingly allow any plant or equipment to be used, for the purpose of disposing of waste on any land unless that land is designated by the Old Tafo Municipal Assembly as final disposal site.

**2. Application and Conditions for a Licence:**

(1) A person shall apply to the Old Tafo Municipal Assembly for a licence within the area in which the practice is to be operated in the form determined by the Old Tafo Municipal Assembly

(2) There shall be attached to the application

- (a) Evidence of registration of the company;
- (b) Plans for the removal, transportation and disposal of waste;
- (c) Copies of certificates of proposed key personnel's in the practice and proof of their registration with the appropriate professional bodies;
- (d) A list of equipment in the practice with their technical specifications;
- (e) Evidence of financial capability for the ownership and operation of the business;
- (f) The prescribed fee; and
- (g) Any other requirement specified by the Old Tafo Municipal Assembly

(3) A licence shall not be granted to an applicant for a waste collection business unless the Old Tafo Municipal Assembly is satisfied that

- (a) The applicant is able to provide the resources and equipment required to operate the practice; and
- (b) Any other requirement specified by the Old Tafo Municipal Assembly has been complied with.

**3. Revocation of Licence:**

The Old Tafo Municipal Assembly may on its own or on the recommendation of a Zonal Council revoke or refuse to renew a licence for a practice if

- (a) The state of the equipment disqualifies the licensee from being granted a licence; or
- (b) It has reasonable grounds to believe that the continued operation by the licensee will create a risk to public health, public safety or is indecent.

**4. Notice of Refusal to Issue or Renew a Licence:**

(1) Where the Old Tafo Municipal Assembly intends to refuse to issue or renew a licence, the Old Tafo Municipal Assembly shall give the applicant or licensee

- (a) A notice of intention to refuse,
- (b) Reasons for the intention to refuse, and
- (c) An opportunity to make a representation to the Old Tafo Municipal Assembly

(2) Where a licence is either refused or revoked the applicant or the licensee shall be informed of the reason within four weeks of the refusal or revocation.

**5. Collection Times of Wastes:**

The Assembly (or its authorized agents) shall serve notice of commencement of a collection service in areas specified for particular services and the notice shall indicate collection days and times.

**6. Charges for the Collection of Wastes:**

The collection of any of the types of waste set out in Schedule 1 (4) of these Bye-laws is prescribed in respect of which a charge for collection may be made.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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*Presiding Member*

.....  
*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Stray Animals) Bye-laws, 2020**

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

**1. Impounding of Stray Animals:**

The Old Tafo Municipal Assembly may authorize an officer or any person within the area of its authority to seize and impound any animal found at large in a public place without a person in charge of that animal in any common pound, and may detain them until the owner pays to the Old Tafo Municipal Assembly a sum equivalent to the expenses of keeping them at rates to be determined by the Assembly.

**2. Liability of Impounded Stray Animal:**

Old Tafo Municipal Assembly is not liable for any animal that may die during the period of seizure or impoundment.

**3. Sale of Impounded Stray Animal:**

If the said expenses are not paid within four days after impounding, the pound keeper, or other person appointed by the Assembly, may sell any such animal; but prior to the sales, six days' notice is given or left at the dwelling-house of the owner if that person is known, or, if not, then the notice is conspicuously posted in some usual place for the posting of public notices in the place where the animals were seized; and the proceeds of the sale, after deducting the expenses, is paid to the Old Tafo Municipal Assembly.

**4. Prohibition:**

A person who is an owner of an animal commit an offence if that owner

- (a) Allows an animal to be at large at any public place without a person in charge of that animal,
- (b) Allows an animal to graze in a public park or the bank of a stream,
- (c) Allows an animal to be on the highway,
- (d) Allows an animal to destroy property of another person
- (e) Droppings of animals shall not be allowed in the community.

Any person who commits the above is liable on summary conviction to a fine not less than one hundred penalty units or to imprisonment not exceeding six months or both.

**5. Prohibition of Keeping of Swine within Residential Premises:**

A person commits an offence if that person rears or keeps a swine within a residential area and is liable on summary conviction to a fine of not less than two hundred penalty units or to imprisonment for not more than six months or both.

**6. Interpretation:**

In these Bye-laws unless the context otherwise requires-

“Animals” include horses, sheep, goats, cattle, donkeys and other animals.

“Swine” means Pig.

"Residential premises/area" means residential premises in which rooms are normally let for residential purposes

**7. Application:**

This Bye-law shall apply within the area of authority of the Old Tafo Municipal Assembly

**8. Title:**

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Stray Animals) Bye-law, 2020.

**9. Revocation:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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*Presiding Member*

.....  
*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## **Old Tafo Municipal Assembly (Control of Dogs) Bye-laws, 2020**

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

### **1. Prohibition:**

- (1) An owner of a dog,
  - (a) Shall not keep a dog without a licence issued by Old Tafo Municipal Assembly;
  - (b) Shall not permit the dog to be in a public place within the area of authority of Old Tafo Municipal Assembly unless the dog is held;
    - (i) On a leash not exceeding four feet in length, and
    - (ii) By a person capable of controlling the dog
  - (c) Shall not permit the dog to enter on to the property of any other person without the consent of the owner or occupier of that property;
  - (d) Shall not allow dog to be at large between the hours of six in the morning and six in the evening;
  - (e) Shall not bring a dog into public unless the dog wears a dog 's licence
  
- (2) A person who contravenes subsection (1) commit an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

### **2. Form of Licence:**

- (1) Dog licences is in such form as the Old Tafo Municipal Assembly shall direct, and every licence shall commence on the day on which it is granted and shall terminate on the 31st day of December.
  
- (2) The Old Tafo Municipal Assembly shall not issue a licence unless the owner of a dog produces a certificate from Veterinary Services indicating that dog has been vaccinated against rabies.

### **3. Badge to be Supplied with Licence and Given up on Expiration of Licence:**

Every person taking out a dog licence shall be supplied by the officer granting it with a metal badge to be worn by the dog for which the licence is taken out; and at the expiration of any licence the person to whom the badge was supplied along with it shall on demand deliver up the badge.

### **4. Register of Licences:**

Old Tafo Municipal Assembly shall keep a register of every dog licenced, specifying the name and place of abode of every person licenced and the number of dogs which each person is licenced to keep.

### **5. Who to be Deemed Keeper of Dog?**

Every person in whose custody, charge, or possession, or in whose house or premises, any dog is found or seen is deemed to be the person who keeps such dog, unless the contrary be proved.

### **6. Licence not Required for Dog under Six Months Old:**

The requirement of licence for keeping a dog is not applicable when that dog is under the age of six months.

**7. Power to Seize Dogs not Wearing Badge and not Under Control:**

A person authorized by Old Tafo Municipal Assembly may;

- (a) Seize any dog not wearing a badge for the then current year, found in any street and not under the control of any person;
- (b) Detain such dog until the owner paid all expenses incurred by reason of such detention.

**8. Power to Sell or Destroy Dogs so Seized:**

Where a dog has been so detained for three clear days without the owner claiming it and paying all the expenses incurred by its detention, the Old Tafo Municipal Assembly shall sell the detained dog.

**9. Order as to Dogs Found at Large when Danger from mad Dogs is Feared:**

The Old Tafo Municipal Assembly may if a mad dog, or a dog suspected of being mad, is found in area of authority, make an order placing such restrictions as for such period on all dogs not being under the control of any person.

**10. Seizure of Diseased Dogs/Pets:**

A person authorized by Old Tafo Municipal Assembly may seize any dog which is suffering or which that person reasonably believes to be suffering from mange, rabies or other disease.

**11. Vaccination:**

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

**12. Application:**

These Bye-laws shall apply within the area of authority of the Old Tafo Municipal Assembly

**13. Title:**

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Control of Dogs) Bye-laws, 2020.

**14. Revocation:**

Any Bye-laws on Control of Dogs in existence within the area of authority of the Old Tafo Municipal Assembly immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

**Old Tafo Municipal Assembly (Communal Labour) Bye-laws, 2020**

In exercise of the powers conferred on the Old Tafo Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws.

**1. Organization of Communal Labour:**

The Old Tafo Municipal Assembly may organize or authorize a person to organize communal labour within area of its authority.

**2. Notice of Communal Labour:**

(1) The Old Tafo Municipal Assembly or a person authorized to organize communal labour shall give seven days' notice to residents of the town or electoral area before the date set for the communal labour.

(2) The notices shall take the form using a van with mounted speakers, gong gong, information centers making the announcement between the hours of six in the morning and eight in the evening of an impending communal labour.

(3) Despite subsection (1) The Assembly or a person authorized may give shorter notice.

(4) The notice shall include-

- (a) The date, time and the place or location where the communal labour is to be organized
- (b) The nature of the communal labour to be undertaken.

**3. Qualification:**

(1) A person of eighteen to sixty years, resident in a town or electoral area shall take part in any communal labour organized under the Bye-law.

(2) The Old Tafo Municipal Assembly or a person authorized to organize a communal labour may exempt a person from taking part in a communal labour if it is satisfied that person

- (a) Is sick
- (b) Is required to appear before a Court to give evidence or is to help the police in any investigation;
- (c) Is attending the funeral of a relative.

**4. Prohibition:**

A person who,

- (a) Knowingly and willfully refuse to attend communal labour;
- (b) Instigate people not to attend communal labour;
- (c) Disrupt communal labour,

Commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units or to imprisonment for not more than six months or both.

**5. Title:**

This Bye-law may be cited as the Old Tafo Municipal Assembly (Communal Labour) Bye-laws, 2020

**6. Revocation:**

Any Bye-laws on Communal Labour in existence before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Cemeteries) Bye-laws, 2020**

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

#### **1. Control of Cemetery:**

The Assembly shall for the purpose of these Bye-laws have the control and management of all cemeteries within the area of its authority.

#### **2. Prohibition:**

(1) A person shall not,

(a) Bury or cremate a dead person in any cemetery or any place without a permit from the Old Tafo Municipal

Assembly

(b) Bury a person before 7 am and after 6 pm without a special permit from the Old Tafo Municipal Assembly

(2) A person who contravenes subsection 1 commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than one month or both.

#### **3. Hindering Disposal of Dead Body:**

(1) A person shall not,

(a) Unlawfully hinder the disposal of a dead body, or

(b) Without lawful authority disinter, dissect or mutilate a dead body, or

(c) Being under a duty to cause a dead body to be disposed of, fails to discharge that duty or

(d) Commit any nuisance in a cemetery.

(e) Use the cemetery for any other activity except burials. e.g car parking space, fitting shops, etc.

(2) A person who contravenes subsection (1) is liable on summary conviction to a fine of not less than hundred penalty units or to imprisonment for a term not exceeding six (6) months or to both.

#### **4. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Cemetery) Bye-law, 2020



**5. Revocation:**

The Kumasi City Council (Cemetery) Bye-laws, 1998 is hereby revoked.

**6. Application:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Abatement of Noise) Bye-laws, 2020**

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

**1. Prohibition:**

(1) A person shall not,

- (a) Use a place for the sale of musical records or other recorded music or preach without a permit; or
- (b) Beat or play any drum or musical instrument between eight o'clock at night and six o'clock in the morning without a permit; or
- (c) Play or cause the playing of recorded music or recorded advertisement in public without a permit;
- (d) Preach or propagate any religious message in any public place with loudspeakers or microphone without a permit;
- (e) Make a noise that exceed forty-eight decibels in the night or fifty-five decibels during the day for residential premises;
- (f) Make a noise that exceed twenty decibels in the night or twenty-five decibels during the day in a hospital, clinic, maternity house or other place used for the reception or treatment of the sick, or any public library;
- (g) Preach, play or propagate any religious audio and video cassette or recorded music or recorded advertisement within the municipality between the hours of 8:00 am and 5:00 pm and not beyond 10:00 pm.
- (h) For the purpose of hawking, selling, distributing or advertising any articles or goods or buying or collecting any other goods or articles makes a noise that exceeds fifty decibels during the day and thirty decibels during the night.
- (i) Not use a residential premise for congregational worship.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

**2. Permit:**

(1) The Old Tafo Municipal Assembly shall not grant the permit unless prospective operator applies in writing to the Assembly to inspect the premises.

(2) The Assembly shall prescribe conditions for the applicant to fulfill before issuing the permit.

(3) A permit issued shall expire on the 31st day of December in the year in which it is issued.

**3. Withdrawal of Permit:**

The Assembly shall withdraw a permit issued under these Bye-laws where the holder of the permit;

(a) Makes an unauthorized alteration to any sound-proofed structure;

(b) Is convicted of any offence under this Bye-law or

(c) Makes a noise that exceeds the permissible level under this Bye-law.

**4. Prohibition of all-night Religious Service:**

A pastor or a person in charge of church or religious institution commits an offence when that pastor or person in charge of that church or religious institution conducts all night religious service with musical instrument or loudspeakers that makes a noise that exceeds fifty decibels between 10:00 pm and 5:00 am is liable on summary conviction to a fine of not less than one hundred and fifty penalty units or to a term of imprisonment not less than three months or both.

**5. Application:**

This Bye-law shall apply within the area of authority of the Old Tafo Municipal Assembly.

**6. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Abatement of Noise) Bye-laws, 2020.

**7. Revocation:**

Any Bye-laws on Abatement of Noise in existence immediately before the coming into force of these Bye-laws are hereby revoked.

**8. Interpretation:**

In these Bye-laws unless the context otherwise requires-

“OTMA” means Old Tafo Municipal Assembly

**SCHEDULE**

1. Santan area	9. Baba Chibsah
2. Nhyiaeso	10. Kwame senti
3. Pankrono Estate	11. Dabanka
4. Pankrono	12. Asuo Afram
5. Adabraka	13. Moro Market
6. Adompom	14. Boanwene
7. Ahenbronum	15. Bediako
8. Ahenbronum North	16. Pankrono East

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Building) Bye-law, 2020**

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

#### **1. Prohibition:**

(1) A person shall not;

- (a) Carry out physical development without a permit or;
- (b) Make any structural alteration to existing building without a permit or;
- (c) Execute any works or install any fittings in connection with any building without a permit or;
- (d) Build a house without a sanitary toilet and bathroom and kitchen or;
- (e) Construct or erect any structure without a permit or;
- (f) Carry out a physical development in contravention of a permit or;
- (g) Carry out a physical development when the permit issued has expired or;
- (h) Build contrary to the scheme of the area, unless the land use has been changed by the Assembly or;
- (i) Change land use unless with prior approval by the Spatial Planning Committee or ;
- (j) Carry out development without planting trees.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than five hundred penalty units or to imprisonment for not more than two years or both.

(3) An owner or occupier of a premises shall not

- (a) Fail or neglect to paint that premises if in the opinion of Old Tafo Municipal Assembly that premises disturb the beauty and harmony of the environment;
- (b) Fail or neglect to maintain that premises if in the opinion of Old Tafo Municipal Assembly that premises pose a health hazard to the occupant(s).

(4) An owner or occupier who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment of not less than three months or both.

#### **2. Certification of Plans of Special Buildings:**

(1) Old Tafo Municipal Assembly may require the design or plan of specific types of building to be prepared or certified by a registered architect or engineer or an architectural draughtsman licenced under an enactment and a layout of the design or plan be certified by a planner.

(2) Despite subsection (1), a restriction shall not be imposed on a person in relation to the design or signing of a plan of a single storey building with a total floor space of not more than one hundred and twenty square metres.

**3. Exemption from Submission of Plans:**

The buildings specified in column I of Part II of Schedule 1 are to the extent provided in relation to them in column 2 exempted from the requirement for submission of building plans under section 1.

**4. Application for a Permit:**

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

- (a) Evidence of title to the land to be developed,
- (b) The drawings of the building to be developed signed by a licenced building surveyor, a qualified architect and a structural engineer where necessary
- (c) The completed application forms are to be submitted to the Assembly after paying the requisite fee fixed by the Assembly.

**5. Title to Land:**

(1) An applicant under section 1 (a) shall satisfy the Old Tafo Municipal Assembly that the applicant has allocation paper/site plan/cadastral to the land relevant to the plans.

(2) Approval shall not be granted to any applicant who does not have an allocation paper and site plan/cadastral to the land, and, for the purposes of this Bye-law, allocation paper and site plan/cadastral issued by the Traditional authority.

**6. Inspection of Site:**

(1) On receipt of the application form, the Technical Sub-Committee of the Spatial Planning Committee of the Assembly together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development,

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

**7. Revocation of Development Permit or Imposition of Additional Conditions:**

Where a developer does not comply with a development permit or where the development does not comply with the conditions of a permit, the Old Tafo Municipal Planning Authority may revoke the development permit or may impose additional conditions to that permit.

**8. Unauthorized Development:**

(1) The Old Tafo Municipal Assembly shall comply with the procedure stated in section 4 where

- (a) A physical development has been or is being carried out without a permit; or
- (b) The conditions of a permit are not complied with.

(2) Despite subsection (1), Old Tafo Municipal Assembly may issue an enforcement notice demanding the immediate stoppage of the execution of a development or works carried out contrary to this Bye-law.

(3) Without prejudice to sub-section (1) of this Bye-law the Old Tafo Municipal Assembly may specify in a building permit the time within which the work authorized in the permit should be commenced.

(4) For the purpose of enforcing this Bye-law Old Tafo Municipal Assembly may

(a) Prohibit, abate, remove, pull down or alter a physical development

(i) Which does not conform to the permit, or

(ii) Physical development without a permit.

(5) Before taking action under subsection (4), the Old Tafo Municipal Assembly shall serve notice in the prescribed form on the owner of the land in respect of which the action is proposed to be taken, and on any person who in its opinion may be affected by the action, specifying the nature of, and the grounds on which the Municipal Assembly propose to take action.

(6) Old Tafo Municipal Assembly Planning Authority may refuse to issue a building permit if the applicant fails to complete any building or work authorised by a building permit or other approval previously granted to him.

### **9. Failure to Process Physical Development Application:**

(1) Where a person submits an application for a building permit to the Old Tafo Municipal Planning Authority shall notify the applicant within 7 days of the receipt of the application and shall within a period of One (1) month thereafter notify the applicant whether the application is granted or refused.

(2) An applicant not informed of the grant or refusal of the application may after the expiry of the one month commence development on the basis that the application is acceptable to the Old Tafo Municipal Planning Authority.

### **10. Application:**

This Bye-law shall apply within the jurisdiction of the Old Tafo Municipal Assembly

### **11. Title:**

This Bye-law may be cited as the Old Tafo Municipal Assembly (Building) Bye-laws, 2020.

### **12. Revocation:**

Any Bye-law(s) on Building in existence within the area of authority of the Assembly before the coming into force of this Bye-law is hereby revoked.

### **13. Interpretation:**

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

“Physical development” means the carrying out of building, engineering, mining or other operations on, in, under or over land or the material change in the existing use of land or building, comprising among others the disposal of waste on land including the discharge of effluent into a body of still or running water or the erection of an advertisement.

“Building permit” means a written permission granted by Old Tafo Municipal Assembly under this Bye-law which sets out the conditions for the construction of a building or a structure or the execution of works on a proposed building.

“Building” means a structure or part of structure and related drains, sewers, pipes and works.

“Sanitary Toilet” means water closet toilet.

“Allocation paper and site plan/cadastral” means an acceptable documentary proof of ownership

**Schedule 1**  
**Exemption from Submission of Plans**

<b>Types of Building</b>	<b>Extent of Exemption</b>
Military buildings e.g. barrack ammunition depots, wireless rooms and any other buildings for military purposes.	No deposition of plans required.
Ports, airports, sea ports, and inland water ports.	No deposition of plans required.
Security buildings, e.g. prisons, police stations, barracks, fire service stations and any other building for security purposes.	No deposition of plans required
Civil service buildings, e.g. residential, offices, commercial hospitals, clinics, research buildings	Deposition of plans, for one month prior to award of contract or commencement of works.
Public University buildings, e.g. administration buildings, halls of residence, lecture rooms, laboratories, libraries, swimming pools, farm buildings, and any other buildings for university use.	Deposition of plans required.

**14.** Mining buildings, e.g. mining operational buildings, offices, stores, processing rooms, and any other buildings for mining purposes.

**15. No Deposition of Plans Required:**

Mining buildings, e.g. residential, hospitals, schools, recreational buildings and any other building for non-mining purposes. Deposition of plans, etc for one month prior to award of contract or commencement of works.

**16.** Buildings for foreign missions and embassies;

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## **Old Tafo Municipal Assembly (House Owners and Occupier) Bye-law, 2020**

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

### **1. Prohibition:**

(1) A person who is a house owner or occupier of a premise shall not,

- (a) Neglect or refuse to desilt or keep clear all private or public drains in or around his or her premises or;
- (b) Construct a drain or lay a pipeline across public right of way, road or street without a special permit issued by Old Tafo Municipal Assembly or;
- (c) Burn refuse or any offensive or toxic material in or around his or her premises or;
- (d) Fail to clear weed and refuse from undeveloped plot of land or;
- (e) Keep pan/pit latrine or;
- (f) Discharge effluent into public drain or stream or;
- (g) Fail or neglect to pay property rate or;
- (h) Construct a house without adequate toilet, kitchen and bathrooms or;
- (i) Create a refuse dump in or immediately outside the premises or;
- (j) Cause a nuisance to adjoining property owners.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty unit or to imprisonment for not less than three months or both.

### **2. Existing Houses without Toilet:**

(1) The Old Tafo Municipal Assembly shall by notice give house owner or occupier of existing houses prior to the commencement of this Bye-law without toilet a grace period of six months to construct adequate toilet.

(2) A house owner or occupier commit an offence if that house owner or occupier fails to comply with notice requiring that house owner or occupier to construct adequate toilet and is liable on summary conviction to a fine of not less than five hundred penalty unit or to imprisonment for not less than three months or both.

### **3. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (House Owners and Occupier) Bye-law, 2020

### **4. Application:**

This Bye-law shall apply within the area of authority of the Old Tafo Municipal Assembly

### **5. Interpretation:**

In this Bye-law unless the context otherwise requires-

“Occupier” means any person who acts as a caretaker of any premises or is in occupation of premises.

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

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

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

**6. Revocation:**

All other (House Owners/Occupiers) Bye-laws within the area of authority of the Old Tafo Municipal Assembly in existence immediately before the passage of this Bye-law are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Control of Economic Trees) Bye-law, 2020**

In exercise of the powers conferred on the Old Tafo Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936), hereby make this Bye-law;

**1. Prohibition:**

A person commits an offence if that person cut down any economic tree without obtaining a permit from Old Tafo Municipal Assembly and is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment not more than six months or both.

**2. Duration and Conditions of Grant:**

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

(2) The permit granted shall include a provision on replanting of an economic tree at the spot where it was cut and supervised by a designated officer from the department of natural resources conservation, forestry, game and wildlife division of Old Tafo Municipal Assembly. who shall report the planting of the tree to a committee to be appointed by the Assembly?

**3. Trees to be Replanted:**

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

**4. Fees:**

The Old Tafo Municipal Assembly shall by a resolution fix the fees payable for the issuance of the permit.

**5. Interpretations:**

In this Bye-law unless the context otherwise requires; “economic tree” means any tree which provides any form of benefit to the Municipality.



**6. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Control of Economic Trees) Bye-law, 2020

**7. Applications:**

This Bye-law shall apply within the area of authority of the Old Tafo Municipal Assembly

**8. Revocation:**

A Bye-law on control of economic trees in existence within the area of authority of the Old Tafo Municipal Assembly immediately before the commencement of this Bye-law is hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Wetlands Protection) Bye-law, 2020**

In exercise of the powers conferred on the Old Tafo Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby made this Bye-law:

**1. Establishment of Wetlands:**

(1) The Old Tafo Municipal Assembly for the purpose of protecting and preserving the environment shall designate an area as a wetland.

(2) The Old Tafo Municipal Assembly shall put a public signpost on the area designated as a wetland within its area of jurisdiction.

**2. Prohibitions:**

(1) A person shall not within an area designated as wetland

- (a) Pollute any water or;
- (b) Use poison, chemicals, explosives or any prohibited method for fishing;
- (c) Use seine nets or other nets with mesh size below 25mm;
- (d) Fish during the closed season, or
- (e) Do any other act that has or is likely to have an adverse effect on the environment.
- (f) Remove any woody vegetation or cultivate any portion in a core area without a permit;
- (g) Deposit any litter or refuse;

- (h) Win sand, carry out quarrying activities or remove any soil without a permit;
- (i) Hunt, capture, harm or deliberately disturb any wild animals including roosting, breeding and nesting birds, fledglings, turtles or their egg or;
- (j) Graze any livestock in and around bird nesting sites or;
- (k) Allow grazing of livestock unsupervised by a herdsman within a core area or;
- (l) Allow grazing livestock to disturb vegetation or to wade through a core area in such a manner as to adversely affect the environment; or
- (m) Do any other act to disturb the ecosystem or;
- (n) Start a bush fire within a distance of 1 km from the boundary of a wetland or;
- (o) Undertake any activity that has or is likely to have an adverse effect on any animal or species or the environment in a wetland.

- (2) A person who contravenes any provision of section (1) commits an offence and is liable on summary conviction
- (a) In the case of a first offender to a fine not less than one hundred penalty units or to a term of imprisonment not exceeding fourteen days or to both; and
  - (b) In the case of a second offender to a fine not less than two hundred penalty units or to a term of imprisonment not less than two months or to both.

- (3) In the case of a continuing offence, a person is liable on summary conviction to a fine not less than fifty penalty units in respect of each day on which the offence continues.

### 3. Title:

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Wetlands Protection) Bye-law, 2020.

### 4. Application:

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

### 5. Interpretation:

“Wetland” means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions,

In this Bye-law, OTMA means Old Tafo Municipal Assembly,

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## Old Tafo Municipal Assembly (Hotels, Restaurants, and Eating Joints or Chop Bars) Bye-law, 2020

In exercise of the powers conferred on the Old Tafo Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make this Bye-law:

### 1. Prohibition:

(1) A person shall not,

- (a) Operate a hotel or restaurant without a licence issued by Old Tafo Municipal Assembly; or
- (b) Obstruct an officer of the Old Tafo Municipal Assembly; or
- (c) Sleep in a room used for the storage, preparation or cooking of food; or
- (d) Work in a hotel or restaurant without undergoing medical examination and issued with medical certificate;

or

- (e) Sell food in a hotel or restaurant which is unfit or unwholesome for human consumption; or
- (f) Expose food to risk of contamination; or
- (g) Being a manager of a hotel or restaurant permit a person suffering from infectious disease to prepare or

cook food.

(2) A person who contravenes subsection (1) commit an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

### 2. Offences by Bodies of Persons:

Where an offence under these Bye-laws is committed by a body of persons:

- (a) Where the body of persons is a body corporate, every director and officer of that body corporate is liable for the offence; and
- (b) Where the body of persons is a firm, every partner of the firm is liable for the offence.

### 4. General Provision for Hotel:

Any premises used for the purpose of an accommodation enterprise shall satisfy the following minimum requirements:

- (a) There is provided adequate natural or artificial lighting throughout the premises;
- (b) There is provided adequate through ventilation or other suitable ventilation;
- (c) Stairways, halls, corridors and exits are kept lighted and unobstructed;
- (d) There is prominently displayed a notice specifying the rates charged per person in respect of accommodation;
- (e) There is available on call at least one literate employee;
- (f) The premises and grounds shall have adequate drainage system;
- (g) The grounds are maintained clean and tidy;
- (h) The buildings, fixtures and fittings are kept in a good state of repair;
- (i) There is provided a clearly labelled and suitably equipped reception;
- (j) A suitable lounge or outdoor sitting facilities is provided for the use of guest and their visitors;
- (k) There is provided common toilets, hand basins, and bath-rooms or shower-rooms to the minimum scale of one each to four rooms;
  - (l) Toilets and baths are so clearly marked for either sex;
  - (m) Good drinking water is made available;
  - (n) There is provided on the premises a pantry equipped for washing-up;

- (o) Where there are more than three floors there is provided a lift, which is inspected once every three months and a certificate of efficiency issued by the Board to that effect;
- (p) There is provided adequate and clearly marked fire escape exits;
- (q) There is observed adequate firefighting means and procedures;
- (r) There is provided alternative lighting devices which is supplied to residents in the event of power failure;
- (s) There is provided a first-aid kit;

#### **5. Facilities for Staff:**

- (1) In any premises used for the purpose of an accommodation enterprise the operator shall keep particulars of the staff including their permanent and residential addresses.
- (2) There is provided
  - (a) Adequately equipped and separate changing rooms for male and female staff;
  - (b) Separate toilets for male and female staff;
  - (c) Protective and washable clothing for staff engaged in the preparation, cooking and serving of food;
  - (d) Uniforms for waiters and chambermaids; and
  - (e) Facilities for the training of the staff.

#### **6. Preparation and Serving of Food:**

- In any accommodation enterprise where food is provided the operator shall ensure that every person engaged in the preparation, cooking or serving of food on the premises
- (a) Is clean and tidy in his/her habits; and
  - (b) Is personally clean and wears protective clothing.

#### **7. Storage of Food:**

- (1) Every room in which food is stored in any accommodation enterprise is
  - (a) Adequately lighted and ventilated;
  - (b) Kept clean and tidy and free from rats, mice, flies, cockroaches and other vermin.
- (2) Refrigeration or other suitable facilities is provided for the preservation of perishable foods.
- (3) No food is stored on the floor.
- (4) There is no dry sweeping in a room used for the storage of food.
- (5) No person shall sleep in a room used for the storage of food.
- (6) No domestic animal or pet is allowed in a room used for the storage of food.

#### **8. Facilities for Kitchen and Pantry:**

- (1) In any accommodation enterprise where food is provided a suitable area is set aside as a kitchen and a pantry.
- (2) The kitchen and pantry is;
  - (a) Of adequate size;

- (b) Well lighted and ventilated;
  - (c) Suitably equipped; and
  - (d) Kept clean and tidy.
- (3) No person shall sleep in a room used for the preparation or cooking of food.
  - (4) No domestic animal or pet is allowed in a room used for the preparation or cooking of food.
  - (5) No article which is not directly connected with the preparation or cooking of food, is kept in the kitchen.
  - (6) Adequate facilities for washing-up are provided in every kitchen.
  - (7) A changing room is provided for the kitchen staff.

#### **9. General Provision for Restaurant:**

- (1) In any restaurant, an adequate area is set aside as a dining room.
- (2) Every table in use by residents is provided with sufficient crockery, condiment sets and table linen of satisfactory standard.
- (3) A menu showing the prices of the items is made available for the use of residents in the dining room.
- (4) No domestic animal or pet is allowed in an area where food or drink is served.
- (5) Adequate separate male and female toilet and washing facilities is provided for the use of guests at the dining room.

#### **10. Obstruction:**

A person shall not obstruct or resist an Officer of health or any other person appointed by the Old Tafo Municipal Assembly and acting in the performance of his/her duties relating to any of the purposes of this Bye-law.

#### **11. Withdrawal of Licence:**

- (1) The Old Tafo Municipal Assembly may withdraw a licence issued under this Bye-law if;
  - (a) An alteration is made to any premises licenced hereunder without the permission of the planning authority;
  - (b) If the licensee operates contrary to the provisions of this Bye-law
  - (c) If the licensee is convicted of any of the offences under this Bye-law;
- (2) A licensee whose licence is revoked shall apply for a fresh licence to operate the premises as such after satisfying all the conditions of the Old Tafo Municipal Assembly in respect of operating premises as a hotel, restaurant, food joint or a chop bar.

(3) Any person who contravenes any part of this Bye-laws commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units or to a term of imprisonment not less than six months or to both.

#### **12. Appeal:**

- (1) A person dissatisfied with the revocation of a licence shall within 7 days from the day of the decision appeal to the Municipal Chief Executive for a redress.
- (2) The Municipal Chief Executive on receipt of same shall constitute a panel of three who shall hear the appeal and report to the Municipal Chief Executive within two weeks with their recommendations.
- (3) The Municipal Chief Executive on receipt of the recommendations may accept, reject or modify the committee's recommendations and notify the appellant in writing.

**13. Interpretation:**

In these Bye-laws unless the context otherwise requires;

“Hotel” shall include motel and guest house

**14. Title:**

This Bye-law shall be cited as Old Tafo Municipal Assembly (Hotels, Restaurants and Eating Joints or Chop Bars)

Bye-law, 2020.

**15. Revocation:**

The Bye-law on control of Hotels, Restaurants and Eating-houses or Chop Bars is hereby repealed.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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.....  
*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Billboards or Signboards and Advertising Boards) Bye-laws, 2020.**

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

**1. Prohibition:**

(1) A person shall not;

(a) Erect, site or hang a billboard or signboard or paint a building or any open space for purposes of advertisement without a licence issued by Old Tafo Municipal Assembly.

(b) Choose a site for the erection of a billboard or signboard unless that site has been inspected and approved by the physical planning, environmental health and works departments of the Old Tafo Municipal Assembly

(c) Place posters, bills, placards, paper sheets or other materials used for advertisement or notices on any wall, tree, electric poles or fixtures without a permit from Old Tafo Municipal Assembly

(d) Erects advertising billboards at any intersections

(i) A person who contravenes subsection (1) is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment for not more than four months or to both.

(2) A licence issued under this Bye-law shall expire on the 31st day of December of the year in which it was granted, but in the case of a banner or a signboard for an occasion the licence shall expire after the period specified in the licence.

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

## **2. Dilapidated Billboards and Signboards:**

(1) Billboards, signboards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners.

(2) Where the owner of dilapidated or expired billboard, signboard fails to replace or remove a dilapidated or expired billboard or signboard after written notice by Old Tafo Municipal Assembly, the Old Tafo Municipal Assembly shall remove the dilapidated or expired billboard or signboard and recover the cost from the owner.

## **3. Designated Locations:**

The Old Tafo Municipal Assembly may reserve specific location or area for the erection of one or more reflector or directional signboards.

## **4. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Billboards and Signboards) Bye-laws, 2020.

## **5. Interpretation:**

“A billboard, signboard” or ‘an advert’ includes a banner or placard made from cloth, wood or metal for occasions like funerals, processions, religious or secular activities or a house or store or an open space painted for promoting a product and includes a poster;

## **6. Application:**

This Bye-law shall apply within the area of authority of the Old Tafo Municipal Assembly

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

**Old Tafo Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-laws, 2020**

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

**1. Application to Operate Commercial Entertainment Centre for Children:**

(1) An application for a permit to operate a commercial entertainment centre shall be submitted by the applicant to the Old Tafo Municipal Assembly

(2) The application shall be accompanied by such fees as may be prescribed in Old Tafo Municipal Assembly's fee fixing resolution.

(3) The Old Tafo Municipal Assembly shall direct the Social Welfare Department to inspect the proposed commercial centre and if it meets the required standard it shall approve the application and grant a permit upon payment of the fee for the permit prescribed by Old Tafo Municipal Assembly

(4) Any commercial entertainment centre in operation without a permit granted by an Old Tafo Municipal Assembly shall be closed on fourteen days' notice to the owner or operator by the Old Tafo Municipal Assembly

**2. Inspection:**

(1) The Social Welfare Department shall inspect the premises, books, accounts and other records of a commercial entertainment centre at least once in every month and shall submit a report of the inspection to the Social Services Sub-Committee of Old Tafo Municipal Assembly

(2) If the inspection reveals that the Commercial entertainment centre is not being managed efficiently in the best interest of the children, the Social Welfare Department shall suspend the permit and the owner or operator shall be ordered to make good any default within the stipulated time.

(3) If the owner or operator fails to make good the default within the stipulated time, the permit shall be cancelled.

**3. Existing Operators:**

Any person who owns or operates a commercial entertainment centre before the commencement of this Bye-law who intends to continue to operate the centre shall apply to the Old Tafo Municipal Assembly for a permit within six months of the commencement of this Bye-law.

**4. Prohibition:**

(1) A person who

(a) Operates a commercial entertainment centre without a permit issued by the Old Tafo Municipal Assembly;

or

(b) Continues to operate a commercial entertainment centre in contravention of this Bye-law; or

(c) Obstructs or hinders any person conducting an inspection commits an offence and is liable on summary

conviction to a fine not less than one hundred penalty units or to a term of imprisonment not exceeding six months or to both and in the case of a continuing offence to a further fine not less than ten penalty units for each day on which the offence continues.



**5. Title:**

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-laws, 2020.

**6. Application:**

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

**7. Interpretation:**

“Children” means a person of less than 16 years of age,

“Commercial Entertainment Centre” means video or game center,

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Profession, Business and Trade) Bye-laws, 2020**

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

**1. Prohibition of Business without a Permit:**

(1) A person shall not carry out any business within the area of authority of the Old Tafo Municipal Assembly unless the business is carried out in accordance with a permit issued under this Bye-law.

(2) A person who carries out any business without a permit commits an offence and is liable on summary conviction to a fine of not less than two hundred penalty unit or to a term of imprisonment for not more than one month or both.

(3) A Business Permit granted under these Bye-laws shall, expire on the 31st day of December of each year

(4) A Business Permit once granted is not transferable.

(5) The fee for every Business permit under this Bye-law shall be determined by the Old Tafo Municipal Assembly

(6) An owner of a ratable permanent or temporary property who is required to pay property rate, under any existing law shall in addition be required to apply for a business permit under these Bye-laws.

**2. Powers of Entry:**

(1) Subject to the provision of these Bye-laws any officer or a person duly authorized in writing by the Old Tafo Municipal Assembly may, during business hours enter into or upon any building, premises or land within the area of authority of the Old Tafo Municipal Assembly for the purpose of carrying out any inspection, enquiry or any other duties authorized by the Old Tafo Municipal Assembly

(2) A person commits an offence if that person obstructs or interferes with any person duly authorized by the Old Tafo Municipal Assembly in the performance of any duties assigned to that person is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment for three months or both.

**3. Withdrawal of Permit and Closure of Business:**

(1) The Old Tafo Municipal Assembly shall revoke any Business Permit granted under these Bye-laws if the owner of a ratable permanent or temporary property makes false declaration in obtaining that permit.

(2) The Old Tafo Municipal Assembly may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

**4. Winding Up:**

(1) Where a company winds up its business or suspends its operations, the Old Tafo Municipal Assembly is informed immediately about such a closure or suspension of business activities.

(2) A company that fails to comply with subsection (1) shall continue to be billed by the Old Tafo Municipal Assembly for its fees for Business Permit.

**5. Failure to Pay Business Permit Fees:**

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

**6. Interpretation:**

In these Bye-laws unless the context otherwise requires-  
“Business” includes occupation, profession or trade.

**7. Application:**

These Bye-laws shall be within the area of authority of the Old Tafo Municipal Assembly

**8. Title:**

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

**9. Revocation:**

Any Bye-laws on Profession, Business and Trade in force immediately before these Bye-laws are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Sale of Intoxicating Liquor) Bye-law, 2020**

In exercise of powers conferred on the Old Tafo Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make this Bye-law:

#### **1. Licence:**

(1) A person shall not

(a) Distill or sell any intoxicating liquor either as a wholesale or retail without a licence issued by the Old Tafo Municipal Assembly.

(b) Engage in the distribution of beer, stout, wine or spirits use that premises or any part as a bar without a licence;

(c) Manufacture or commence to manufacture spirits without a licence by Old Tafo Municipal Assembly;

(d) Sell spirits on any premises or in the open, except under and in accordance with one of the following licences

(i) A wholesale licence to sell spirits in quantities of not less than two gallons at a time, not to be consumed on the premises,

(ii) A store licence to sell spirits for consumption on or off the premises;

(iii) A hotel licence to sell spirits within a hotel;

(iv) A restaurant licence to sell spirits to be consumed with a meal in a restaurant;

(v) An occasional licence to sell spirits on a special occasion at a specified place;

(vi) A bar licence to sell spirits for consumption on the premises.

(e) Sell akpeteshie under any spirit licence unless the licence is expressly endorsed to authorise the licensee to sell akpeteshie.

(f) Sell wine or beer on any premises or in the open, except under and in accordance with one of the following licences

(g) Being a holder of licence to sell spirits, wine or beer shall allow any person under the age of eighteen years to be at any time in the bar of the licenced premises during permitted hours.

(h) Being a holder of licence under this Bye-law sell any spirit, wine or beer to any drunken person or permit any disorderly or improper conduct on that premises;

(i) Being a holder of licence under the Bye-law sell akpeteshie, spirits, beer or wine to any police officer in uniform.

**2. Condition and Duration of Licence:**

(1)A licence issued under this law:-

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

**3. Fees:**

The Old Tafo Municipal Assembly shall by a resolution fix the fees payable for the issuance of the licence.

**4. Interpretation:**

"Akpetchie" means spirits manufactured in Ghana by the distillation of a fermented liquid in a simple pot;

"Bar" means any open drinking bar on licenced premises or any part of the licenced premises exclusively or mainly used for the sale and consumption of spirits, wine or beer;

"Beer" includes any description of beer, and any liquor made or sold as a description of beer or as a substitute for beer and which contains more than one per cent of pure alcohol, but does not include pito and other similar locally brewed liquors;

"Distiller" means any person who produces spirits by the distillation of fermented spirits or by chemical means and includes any person who rectifies, compounds, blends or methylates;

"Licencee" means a person holding a licence to sell spirits, wine or beer under this Bye-law;

"Permitted hours" means the hours during which any licenced premises are by regulations allowed to be open for the sale of spirits, wine or beer under this Act;

"Sell" includes to dispose of by barter, exchange or in any other manner for valuable consideration;

"Spirits" means akpetchie, brandy, gin, liqueur, rum, whisky and all other distilled liquors and includes all liquors mixed with spirits and all mixtures, compounds or preparations made with spirits, but does not include alcohols other than ethyl alcohol and potable methyl alcohol and medical preparations containing alcohol;

"Store" includes a house, shop and every other building not being a hotel, bar or restaurant;

"Wine" does not include palm wine.

**5. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Sale of Intoxicating Liquor) Bye-law, 2020

**6. Revocation:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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*Presiding Member*

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*Municipal Co-ordinating Director*

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## Old Tafo Municipal Assembly (Protection of Roads) Bye-laws, 2020

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

### Prohibitions

#### 1. Carriageway:

- (1) A person commits an offence if that person
  - (a) Spill fuel and lubricants on any road in the Municipality;
  - (b) Damage any part of bitumen surface roads by dragging a heavy metal or wood or stone or any other material on the surface of a road;
  - (c) Cook, fry or light any fire or any other material emitting heat on the surface of a road;
  - (d) Use, pour or put corrosive material on the bitumen surface roads;
  - (e) Cut a trench on any part of the road or bore under any road without a permit issued by Old Tafo Municipal Assembly;
  - (f) Off-load or dump any items or goods on any road or adjoining shoulder or walkway so as to constitute obstruction to the road and pedestrian traffic;
  - (g) Block or erect a canopy on any road for any funeral or social gathering without a permit issued by Old Tafo Municipal Assembly;
  - (h) Washes vehicles on a road;
  - (i) Direct waste water from washing bay onto the road;
  - (j) Keeps a disabled vehicle for more than two hours on an urban road;
  - (k) Trade in car booth sales, table top sales on the carriageway, walkway or shoulder of the road;
  - (l) Dumps any type of solid material into a drain;
  - (m) Undertake an activity that physically damages the drain;
  - (n) Undertakes any activity which partially or completely blocks the drain;
  - (o) Removes any type of drain cover;
  - (p) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, boundary fence wall on the pedestrian walkway;
  - (q) Digging through walkways and/or shoulder;
  - (r) Driving on a walkway and/or shoulder;
  - (s) Digging and placing of signs in any road shoulder and walkway;
  - (t) Remove any road furniture from its originally installed place;
  - (u) Defaces road line markings;
  - (v) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, on medians and islands;
  - (w) Digging through medians and islands;
  - (x) Operates any transport station within an island.

2. A person who contravenes sub-section (1) of section 162 is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment of not less than one month or both.

**3.** (1) All application for cutting or boring shall pass through the Department of Urban Roads. A permit will be issued under the following conditions:

- (a) Assessment of associated cost as determined by Department of Urban Roads
- (b) Payment of determined cost to Department of Urban Roads
- (c) Pursuant to the issuance of the permit, the Old Tafo Municipal Assembly through Department of Urban

Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity

- (2) The Department of Urban Roads shall be responsible for the proper and timely reinstatement of the excavated area
- (3) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
- (4) The Department of Urban Roads shall supervise the excavation activity

**4. Road Furniture:**

- (1) Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.
- (2) Any person who crashes into road furniture shall reinstate as per recommendations from the Department of Urban Roads.
- (3) Any person who defaces road line markings and signs commits an offence.

**5. Application:**

These Bye-laws shall apply within the area of the Authority of the Old Tafo Municipal Assembly.

**6. Title:**

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Protection of Roads) Bye-laws, 2020

**7. Revocation:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## Old Tafo Municipal Assembly (Control of Parks) Bye-laws, 2020

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

### 1. Prohibition:

- (1) A person commits an offence if that person.
- (a) Drives any mechanically propelled vehicle in any park without a permit by Old Tafo Municipal Assembly;
  - (b) Graze any animal in a park;
  - (c) Brings a dog unto a park when that dog is not held by leash;
  - (d) Climb any tree, shrub, fence, railing or wall in the park;
  - (e) Injure, disfigure, write graffiti on or mark any seat, chair, sculpture or structure, in the park;
  - (f) Deface damage or otherwise interferes with any item of infrastructure provided to support the proper functioning of the park, including any surface, item of equipment, public light, fence, goalpost, street furniture or any other structural item;
  - (g) Throws any missile in the park to damage property or endanger any other person or wildlife within the park;
  - (h) Takes or remove any soil, sand, gravel, stone or timber from the park or dump or dispose of any refuse in the park;
  - (i) Bring into the park any firearm, cutlass, catapult or any other offensive weapon;
  - (j) Make bonfire, fire or barbecue or light any firework in the park;
  - (k) Sell, offer, offer for hire, or expose for sale in the park any commodity or exhibit any sign, poster, handbill, or other notice in the park soliciting for sale.
  - (l) Display any advertisement, or erect, exhibit, affix, chalk or paint any picture, bill, placard, banner, tract or notice in any open space or on any wall, fence or hedge enclosing any park or open space without going through the procedures stated under the Bye-laws on billboards and signboards.
  - (m) Organize or take part in the game of football or any other game or athletics at the park.
  - (n) Obstruct or interfere with any employee or agent of the Old Tafo Municipal Assembly or other person in the exercise of that person's duty or disobey that person's lawful directions
- (2) A person who contravenes section (1) is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment of not less than one month or both
- (3) Section 169 (1) (a) shall not apply to wheelchairs, perambulators or similar vehicles propelled by hand or mechanically which are used solely for the conveyance of children or disabled persons.

### 2. Application:

This Bye-law is applicable to all parks under the management of the Old Tafo Municipal Assembly as more particularly described in the schedule attached.

### 3. Title:

This Bye-law shall be cited as the Old Tafo Municipal Assembly's (Control of Parks) Bye-laws, 2020

**4. Interpretation:**

In this Bye-law unless the context otherwise requires, Old Tafo Municipal Assembly means Old Tafo Municipal Assembly.

**5. Revocation:**

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

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Slaughterhouse) Bye-laws, 2020**

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

**1. Prohibition:**

(1) A person shall not;

(a) Slaughter any animal for sale to the public in any premises except slaughter house or premises licenced by Old Tafo Municipal Assembly;

(b) Slaughter any animal for sale to the public unless that animal has been approved for slaughtering by the Veterinary Officer or Environmental Health Officer;

(c) Operate as a butcher unless that person obtains a licence from Old Tafo Municipal Assembly and has undergone medical examination and is issued with medical certificate;

(d) Sell slaughtered animal to the public unless that animal has been inspected by Veterinary Officer or Environmental Health Officer and certified as fit for human consumption;

(e) Convey slaughtered animal in a taxi, push truck, trolley, minivan or alike except refrigerated meat van;

(f) Cause a nuisance at a slaughterhouse;

(g) Slaughter any animal in a slaughter house or premises licenced by the Assembly before 6 am and after 2 pm unless given special permit;

(h) Knowingly suffering from infectious disease enter slaughterhouse;

(i) Rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughterhouse.



(2) A person who contravenes subsection (1) commits an offence and on summary conviction is liable to a fine of not less than one hundred penalty units or to a term of imprisonment for not more than three months or both.

## 2. Payment of Fees:

A person commits an offence if that person fails to pay slaughter fee charged by the Old Tafo Municipal Assembly and is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment for not less than two weeks or both.

## 3. Title:

This Bye-law shall be cited as the Old Tafo Municipal Assembly's (Slaughter House) Bye-laws, 2020.

## 4. Application:

These Bye-laws shall apply within the area of jurisdiction of the Old Tafo Municipal Assembly

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## Old Tafo Municipal Assembly (Control of Mills) Bye-laws, 2020

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

### 1. Prohibition:

(1) A person shall not,

- (a) Operate a mill in his or her premises without approval by the Environmental health officer and licenced by the Old Tafo Municipal Assembly;
- (b) Allow smoke in his or her premises that is used as mill or;
- (c) Use a mill house as a sleeping place or;
- (d) Operate a mill or handle flour used in making a bread without undergoing medical examination and issued with medical certificate or;
- (e) Obstruct an officer of the Assembly from inspecting a mill or licence or;
- (f) Handle flour in a mill when suffering from infectious disease; or
- (g) Operate a mill under insanitary condition.

(2) A person who contravenes Section (1) commit an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment for not more than one month or both.

**2. Fee:**

The fees for every licence issued under these Bye-laws is fixed by a resolution of the Assembly

**3. Revocation of Licence:**

The Assembly may revoke any licence granted under section 179 (1) of these Bye-laws if any alteration is made to any licenced premises, without the prior approval of the Assembly and also if the owner or manager of the mill is convicted for any offence under these Bye-laws.

**4. Fees:**

- (1) The Old Tafo Municipal Assembly shall by a resolution fix the fees payable for the issuance of the licence.
- (2) A permit issued shall expire on the 31st day of December of the year of issue.

**5. Times of Operation:**

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

**6. Title:**

This Bye-law shall be cited as Old Tafo Municipal Assembly's (Control of Mills) Bye-laws, 2020

**7. Revocation:**

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

**8. Interpretation:**

In these Bye-laws "mill" means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## Old Tafo Municipal Assembly (Public Market) Bye-laws, 2020

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

### 1. Prohibition:

(1) A person shall not,

(a) Sublet Markets stalls/stores to another person without the written consent of Old Tafo Municipal Assembly;

or;

(b) Establish or operate a private market without a permit; or

(c) Use the market as a sleeping place or;

(d) Fails to pay market toll, levy or rate or;

(e) Expose any article or food for sale except from a stall or from a table or other support of a minimum height of twenty inches from the ground.

(f) Expose for sale in any market, any meat, fish, bread, palm-wine, cooked or prepared food without protection or;

(g) Sell in the market when suffering from infectious disease or;

(h) Urinate or defecate in the market or;

(i) Sell under insanitary condition or;

(j) Use the market as a sleeping place; or

(k) Sell in the market before 6 am or after 6 pm or;

(l) Lit fire in a market, keep or sell any explosives or highly flammable substances in the market place.

(m) Place or dump any refuse in a market except places provided for that purpose by the Old Tafo Municipal Assembly; or

(n) Ride a bicycle in a market; or

(o) Bring live animal except birds; or

(p) The skin of any animal unless it is dried and properly cured.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units or to a term of imprisonment not exceeding six months or both.

### 2. Old Tafo Municipal Assembly Shall not be Responsible for any Loss of Item in the Market:

The Old Tafo Municipal Assembly is not responsible for any loss or damage to property of an occupier of any store/stall, space or selling site in a market as a result of fire, theft, burglary or any other cause.

### 3. Control of Markets:

The Old Tafo Municipal Assembly shall have ownership, exclusive control and management of the markets in the entire Municipality.

### 4. Hours of Operation:

All markets shall open to the public every day of the week from six in the morning and closes at six in the evening.

**5. Allotment of Stores, Stalls and Spaces:**

- (1) The Old Tafo Municipal Assembly shall allocate market stores, stalls or space to interested persons from time to time;
- (2) An application for market store, stall or space shall be in writing and addressed to the Municipal Chief Executive.

**6. Rent:**

The Old Tafo Municipal Assembly shall by a resolution fix the rent payable for the market store, stall or space.

**7. Transfers, Subletting and Succession:**

- (1) A person who has been allocated a market store, stall or space shall not transfer that person's interest except with the written permission of the Old Tafo Municipal Assembly;
- (2) An allocation of market store, stall or space by Old Tafo Municipal Assembly to any person shall be personal to that person

**8. Forfeiture of Allocated Market Store, Stall or Space:**

- (1) A person who has been allocated a market store, stall or space shall forfeit the market store, stall or space if that person;
  - (a) Denies the title of Old Tafo Municipal Assembly to such market store, stall or space;
  - (b) Deserts the market store, stall or space for three months without notice to the Old Tafo Municipal Assembly;
  - (c) Fails to pay daily tolls for seven consecutive days
  - (d) Fails to pay the rent due for three months;
  - (e) Transfer the market store, stall or space to another person without the written consent of the Assembly.

**9. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Public Markets) Bye-law, 2020

**10. Interpretation:**

These Bye-laws unless the context otherwise requires-

“Market” means public market within Kumasi Municipality

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

**11. Revocation:**

All Bye-laws in operation immediately before these Bye-laws are hereby revoked.

**Schedule****Major Markets**

1. Old Tafo
2. Pankrono
3. Moro Market

**Satellite Markets (Established)**

1. Pankrono Estates
2. Pankrono Abed

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.  
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### **Old Tafo Municipal Assembly (Regulation of Vehicle Parking Places) Bye-laws, 2020**

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

#### **1. Prohibition:**

(1) A person shall not

- (a) Being a driver of a motor vehicle plying for public hire or fare within the area of authority of the Old Tafo Municipal Assembly load passengers or goods except at the place provided for the purpose by the Assembly; or
- (b) Being a driver fails or neglect to pay lorry park fees; or
- (c) Being a driver fails to produce lorry park ticket; or
- (d) Cause a nuisance in a lorry park; or
- (e) Being a bookman operated at a lorry park without a licence issued by Old Tafo Municipal Assembly; or
- (f) Sell any intoxication liquor in a lorry park; or
- (g) Sell foodstuff in a lorry park.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than three months or both.

(3) Nothing in these Bye-laws shall prevent;

- (a) The loading or unloading of passengers or goods to or from any private store, dwelling house, shop or other premises within the town;
- (b) The loading or unloading of passengers or goods at any place within such town in the event of an accident or bona fide breakdown of the vehicle.

#### **2. Lorry Park Fees:**

The fees payable for the use of the lorry park in respect of each motor vehicle is a fee fixed by resolution of the Assembly.

**3. Mode of Entering a Park, etc.:**

(1) Every driver of a motor vehicle shall,

(a) Enter the lorry park by the opening entrance and leave by the opening exit;

(b) Park his motor vehicle in the lorry park in such space as may be indicated to him by the attendant;

(c) Secure his motor vehicle from movement by keeping the hand brake on or adopting any other effective

means; and

(d) Refrain from unnecessarily sounding the horn or other warning instruments.

**4. Petrol Filling Station not to be Used as a Lorry Park:**

(1) A person who is an owner petrol station commits an offence if that person uses or permits the petrol station to be used as a lorry park and is liable on summary conviction to a fine of not less than two hundred penalty units or to imprisonment for not more than three months.

(2) The Assembly may revoke the licence of any petrol dealer who allows that petrol filling station to be used as a lorry park.

**5. Parking Fees Payable:**

A driver of a vehicle shall pay the prescribed fee to the person appointed by the Old Tafo Municipal Assembly as a collector of parking fees who shall issue a receipt to that person.

**6. Towing of Vehicles:**

(1) The Old Tafo Municipal Assembly or its authorized agents shall tow any vehicle parked at an unauthorized place.

(2) The driver or person in charge of the towed vehicle shall pay a spot fine in accordance with the fee fixing resolution of the Old Tafo Municipal Assembly. before the release of the vehicle;

7. The Old Tafo Municipal Assembly shall not be responsible for any loss or damage of the vehicle.

**8. Application:**

These Bye-laws shall apply to all approved lorry parks in the Municipality

**9. Title:**

This Bye-law may be cited as the Old Tafo Municipal Assembly (Regulation of vehicle Parking Places) Bye-laws, 2020.

**10. Revocation:**

The Lorry Parks Bye-laws, 1998 is hereby repealed.

**11. Interpretation:**

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

“Driving” means any person who is the owner or has charge or control over a vehicle or being present is entitled to give orders to the person having charge or control of the vehicle.

“Motor Vehicle” means any mechanically propelled vehicle intended or adopted for use on roads;

“Place” includes street, pavement or an open space.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Operation of Commercial Vehicles) Bye-laws, 2020**

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

#### **1. Registration of Commercial Vehicle Operator:**

(1) A person shall not operate a commercial vehicle

(a) Unless that person holds a road transport operator's permit;

(b) Unless that person is employed by or belongs to a recognized commercial road transport organization.

(2) A person who operates or drives a commercial vehicle in contravention of subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units or to imprisonment for not more than thirty days or to both.

#### **2. Application and Fees:**

(1) Every application for commercial vehicle registration shall be made to the licensing officer of the Old Tafo Municipal Assembly by the local union or branch under which it intends to operate.

(2) A commercial vehicle registration shall be approved under these Bye-laws unless the vehicle in respect of which the registration is required has been licenced as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Act and any other appropriate enactment at the time in force

**3.** (1) A commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration has been licenced by the Driver and Vehicle Licensing Authority for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate affixed to the plate. Every vehicle registered under these Bye-laws shall remain equipped and fitted in the manner under which it was originally licenced under the Driver and Vehicle Licensing Authority for commercial operations.

(2) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station.

(3) A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the Old Tafo Municipal Assembly

#### **4. Issue and Display of Licence:**

The licensing officer shall issue a vehicle sticker with the registration number of the vehicle inscribed on it which shall be displayed on the front windscreen of the vehicle.

#### **5. Number of Passengers:**

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

#### **6. Title:**

This Bye-law may be cited as the Old Tafo Municipal Assembly (Operation of Commercial Vehicles) Bye-laws, 2020

#### **7. Interpretation:**

In these Bye-laws unless the context otherwise requires-

“Coach”, minibus or bus means any motor vehicle not being a taxi and not being a Government vehicle or that of any corporation, used or intended to be used for carrying passengers for reward.

“Taxi” means any motor vehicle designed to carry not more than five persons and used for carrying passengers for reward under a contract expressed or implied for the use of the vehicle as a whole or for an agreed sum.

“Licensing Officer” means the City Manager or any Officer authorized by him to act as such.

#### **8. Revocation:**

All Bye-law on coaches, minibus buses and taxis in force immediately before the coming into force as these Bye-laws are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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Presiding Member

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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Municipal Co-ordinating Director

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

SIGNED

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



## Old Tafo Municipal Assembly (Kiosk-Keepers) Bye-laws, 2020

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

### 1. Prohibition:

(1) A person shall not,

- (a) Construct a kiosk or place a container within the area of authority of the Old Tafo Municipal Assembly without a written consent of the landlord and permit or;
- (b) Erect or construct a kiosk with sand Crete blocks or;
- (c) Use a kiosk or container as dwelling house or;
- (d) Place kiosk or container on a public footway or;
- (e) Place a kiosk or container on a public drain or on a sanitary site or;
- (f) Construct or erect a kiosk that exceed twelve square meters in size or;
- (g) Fails to renew kiosk or container permit

2. (1) A person who contravenes section (1) commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units or to imprisonment for not exceeding three months or both.

(2) An applicant shall submit to the Old Tafo Municipal Assembly, three site plans of the area where the kiosk is to be kept together with three drawing plans of the proposed structure.

### 3. Fee:

The fee charged for the time being is the fee fixed in the fee fixing resolution of the Assembly.

### 4. Display of Official Numbers:

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

### 5. Notification, Removal and Pulling Down:

The Assembly shall give seven days' notice in writing to the owner or occupier of any kiosk or structure constructed in contravention of these Bye-laws or where he cannot be found the Assembly 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 show sufficient cause why such kiosk should not be pulled down.

### 6. Former Licences:

A licence issued in respect of an existing kiosk granted by the Old Tafo Municipal Assembly shall remain valid until it expires.

### 7. Title:

This Bye-law may be cited as Old Tafo Municipal Assembly (Kiosk-Keepers) Bye-laws, 2020

### 8. Interpretation:

In these Bye-laws unless the context otherwise requires Old Tafo Municipal Assembly means Old Tafo Municipal Assembly, public use means use the premises for the benefit of the public, kiosk refers to wooden and metal structures conforming to the specifications given in this Bye-law.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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### **Old Tafo Municipal Assembly (Control of Hawkers) Bye-laws, 2020**

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

#### **1. Prohibition:**

(1) A person who as a hawker shall not;

- (a) Operate without a licence from the Old Tafo Municipal Assembly; or
- (b) Erect a stall or structure in any public place without a permit; or
- (c) Obstruct or impede free movement of vehicle or pedestrian traffic; or
- (d) Fail to produce licence on demand; or
- (e) Sell food under insanitary condition; or
- (f) Selling food fails to undergo medical examination and issued with medical certificate; or
- (g) Litter lorry park, open space or public place; or
- (h) Fails to protect food from flies, dirt and dust;
- (i) Sell or offer for sale any item or article in a place specified in a schedule.

(2) A person who contravenes subsection 1 commit an offence and is liable on summary conviction to a fine of not less than twenty penalty units or to imprisonment for not more than two weeks or both.

#### **2. Application to Contain Particulars:**

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

#### **3. Duration of Fees for Licence:**

(1) A licence issued under these Bye-laws shall expire on the 31st December of the year in which it is dated.

(2) A licence is issued on the payment of such fee as may be fixed by resolution of the Assembly.

**4. Interpretation:**

In this Bye-law unless the context otherwise requires 'hawker' means any person who sells or offers for sale goods of any description in a place other than a recognized market or in his dwelling house or shop and includes any assistant employed by such person.

**5. Application:**

These Bye-laws shall apply within the areas of the Old Tafo Municipal Assembly

**6. Title:**

This Bye-law shall be cited as the Old Tafo Municipal Assembly (Control of Hawkers) Bye-laws, 2020.

**7. Revocation:**

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

**Schedule for Unauthorized Places for Hawkers:**

- (1) Pavements of Principal streets in the Municipality.
- (2) Spaces in front of Tafo Lorry Terminal and Banks, and all other places similar to the aforementioned
- (3) Frontage of stores
- (4) Pedestrian-Walks
- (5) Such areas as the Old Tafo Municipal Assembly may from time to time determine.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

## **Old Tafo Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2020**

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

### **1. Prohibition:**

- (1) A person commits an offence, if that person:
- (a) Provides or operates an urban passenger transport service without a Permit;
  - (b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit;
  - (c) Operates on a route different from that specified by the Permit, unless the route is temporarily inaccessible;
  - (d) Operates beyond the permitted limits of the route;
  - (e) Operates at terminals not authorized under the permit;
  - (f) Stops to allow passengers to board or alight at places which are not authorized by the Permit;
  - (g) Carries passengers in excess of the permitted capacity of the vehicle;
  - (h) Provides false information for the purpose of obtaining an urban passenger transport service Permit;
  - (i) Operates or attempts to operate or ply for trade at a terminal without permit from Old Tafo Municipal Assembly;
  - (j) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles;
  - (k) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

(2) A person who contravenes section (1) is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment of not more than three months or both

### **2. Application Forms:**

(1) A prospective applicant shall purchase the requisite application forms from the Assembly and complete same in triplicate and submit it to the transport department of the Assembly for processing.

(2) The applicant shall attach to the application the body's certificate of registration, tax clearance certificate, a detailed description of all routes to be plied, services to be provided, place of operation describing all facilities available and any other requirements as the Assembly shall from time to time require.

(3) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

### **3. Processing of Application Forms:**

(1) The completed application form shall be processed by the Assembly within one month from the date of receipt of the application,

(2) The processing of the application shall be done by a three-member panel comprising the head of transport and legal department, and a representative from the police motor traffic and transport unit of the Ghana Police Service;

(3) The panel shall in processing the application among others visit the place of operation of the applicant to verify the contents and other statements made in the application;

(4) The Assembly will assess a valid application based on the adequacy or otherwise of existing services and whether the proposed service is required in the public interest;

### **3. Operational Permit:**

(1) The panel after processing the application shall issue an operational permit to the applicant for the operation of the urban transport services under Type 'A' permit for areas within the Kumasi Municipality and type 'B' permit for areas outside the Assembly's jurisdiction;

(2) Any such permit granted is valid till 31st December of the year, in which it was issued,

(3) A successful applicant shall pay a fee fixed by the resolution of the Assembly,

(4) The panel in refusing an application shall state the grounds upon which the application has been refused and notify the applicant,

(5) An applicant whose application is refused shall in the case of failing to fulfil a condition complete a fresh application and resubmit the application for consideration.

(6) In any other case the applicant shall appeal to the Municipal Chief Executive within twenty-one days after the panel's decision.

### **4. Duration of Permit:**

A permit granted under this bye-law shall be valid for one year after which it shall be renewed by the Old Tafo Municipal Assembly upon the fulfilment of the terms and conditions stated.

### **5. Regulation:**

(1) The Old Tafo Municipal Assembly shall regulate the urban passenger transport services within its area of jurisdiction.

(2) Regulation of Urban Passenger Transport Services shall consist of the power to:

(a) Require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,

(b) Define routes, stopping places and terminals within part or the area of jurisdiction,

(c) Invite and evaluate applications for route operating Permits and select from among the applicants,

(d) Award route service contracts,

(e) Award exclusive operating rights for a route, corridor or area to operators,

(f) Restrict or exclude other operators from routes or corridors where route service contracts have been awarded,

(g) Attach conditions to an urban passenger transport services permit in accordance with the Procedures,

(h) Define and enforce services and vehicle quality standards in accordance with existing national regulations,

(i) Establish mechanisms for the operations and management of passenger transport services,

(j) Collaborate with any Municipal or MUNICIPAL Assembly for the performance of their respective functions relating to urban passenger transport services,

(k) Generally, promote integration of urban passenger transport services.

**6. Revocation:**

158. Any Bye-law on Urban Passenger Transport Services in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

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Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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

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**Old Tafo Municipal Assembly (Payment and controllers of Revenue Collectors) Bye-laws, 2020**

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

**1. Rating Authority:**

The Old Tafo Municipal Assembly is the only authority to levy rates within its area of authority despite any customary law to the contrary.

**2. Method of Rating:**

(1) The Old Tafo Municipal Assembly shall levy general or special rates for the amount considered necessary to raise sufficient funds to meet expenditure.

(2) A general rate may be

(a) A rate payable by the owner of premises within the area of authority on the rate able value of the premises;

or

(b) A rate assessed on the possessions or any category of possessions of persons who reside within the area of authority of Old Tafo Municipal Assembly.

(3) A special rate may be

(a) A basic amount payable by any person of the age of eighteen years and above, but below the age of seventy years who resides within the area of authority of Old Tafo Municipal Assembly; or

(b) An amount imposed on an owner of movable or immovable property in the area.

(4) A basic rate is sufficient at least to cover the cost of collection.

(5) A person registered as a voter in an area of authority of Old Tafo Municipal Assembly may be required to pay rates imposed by the Old Tafo Municipal Assembly even if that person has not resided in the area of authority of Old Tafo Municipal Assembly.

(6) Subject to the exemptions from and remission of rates, rateable premises is premises that comprise buildings, structures or similar development.

### **3. Levying of Rate:**

A rate shall be deemed to have been levied by the publication of a notice in the manner prescribed by Regulations made by a resolution of the Old Tafo Municipal Assembly.

### **4. Date and Place of Payment of Rate:**

When Old Tafo Municipal Assembly has given notice of a rate, a person liable to pay the rate, shall pay the amount to a rate collector or other person duly appointed or authorized by the Old Tafo Municipal Assembly concerned to collect and receive the rate at the time and place specified by the rating authority.

### **5. Exemptions from and Remission of Rates:**

(1) The following tenements are exempted from assessment and rating:

(a) Premises appropriated exclusively for the purpose of public worship and registered with the Old Tafo Municipal Assembly;

(b) Cemeteries and burial grounds registered by the Old Tafo Municipal Assembly;

(c) Charitable or public educational institutions registered with the Old Tafo Municipal Assembly;

(d) Premises used as public hospitals and clinics; and

(e) Premises owned by diplomatic missions approved by the Minister responsible for Foreign Affairs.

(2) The following persons are exempted from the payment of basic rate:

(a) Persons who are in attendance at an educational institution who do not receive any remuneration or income during that period, other than an allowance, loan or other grant provided for purposes of education including any sum received by a person in respect of temporary employment undertaken by the person during vacation from an educational institution; and

(b) Persons who are more than seventy years old.

(3) The Old Tafo Municipal Assembly may reduce or remit payment of any rate on account of the poverty of a person liable to pay the rate.

(4) A person who has paid the amount of the rate payable in respect of premises that have been demolished or removed during any financial year, may apply to an Old Tafo Municipal Assembly for a refund of a proportion of the amount paid that the Old Tafo Municipal Assembly considers reasonable having regard to the circumstance except that where the demolition or removal is by order of the Old Tafo Municipal Assembly or a court, a refund shall not be made unless the owner of the premises has given notice in writing to the Municipal Chief Executive within fourteen days after the demolition or removal.

**6. Claim for Amount of Rate:**

A claim for the amount of any rate payable shall have priority over any other claim against the person liable to pay the rate, except claims by the Government, unless specifically provided in any other law.

**7. Rates on Immovable Property to be a Charge on Premises:**

The amount of a general or special rate due in respect of any premises shall, until paid, be a charge on the premises and that charge shall have priority over any other claims against the premises except claims of the Government.

**8. Notice where General or Special Rate not Paid:**

(1) The Old Tafo Municipal Assembly shall cause to be affixed on a conspicuous part of the premises a notice to the effect that if the amount of general or special rate payable in respect of premises is not paid within forty-two days after the date of the notice, proceedings will be taken for the sale of the premises to defray the amount if the rate is not paid within ten days after the date it is due.

(2) Where a person who claims to be the owner of an assessed premises has given notice in writing to the Old Tafo Municipal Assembly of the person's name and postal address, a notice shall not be affixed on the premises, until a written demand for payment of the rate due has been sent by registered letter by the Old Tafo Municipal Assembly to that person and has defaulted for one month after the date of posting of the registered letter.

**9. Notice of Mortgage in Respect of Rate able Premises:**

(1) Where a person who has a registered mortgage on assessed premises has given the Old Tafo Municipal Assembly notice in writing of the mortgage, a notice shall not be affixed on the mortgaged premises in respect of default in the payment of a general or special rate until a written demand for payment of the rate due on the premises has been sent by registered letter by the Old Tafo Municipal Assembly to the mortgagee and default has been made for one month after the date of posting of the registered letter.

(2) The notice by the Old Tafo Municipal Assembly shall contain the particulars of the mortgaged premises that are necessary to identify the premises and shall state the date and place of registration, the volume and page of the Land Register Book in which the mortgage is registered and the postal address of the mortgagee.

**10. Proceedings in Case of Non-payment of Rates:**

(1) If the amount of the general or special rate due in respect of any premises is not paid within a period of forty-two days, the Old Tafo Municipal Assembly may apply to a court for an order for the sale of the premises.

(2) The court shall order the premises to be sold to defray the amount of the rate due if satisfied that the notice for the amount payable has not been complied with and that the amount of the rate due in respect of the premises has not been paid.

(3) The court shall make this determination after hearing a representative of the Old Tafo Municipal Assembly and any other person and considering any evidence produced.

(4) Premises ordered to be sold to defray the amount of the rate due shall be sold under the direction of the person authorized by the court.



(5) If at any time during proceedings but before the sale of the premises, payment of expenses properly incurred and the amount of the rate due is made, further proceedings shall cease.

(6) The court shall grant a certificate to the purchaser confirming the sale if the defaulter does not pay the rates and the premises are sold.

#### **11. Agreement between Landlord and Tenant:**

An agreement between a landlord and tenant shall not derogate from any obligation with respect to the enforcement of rate by the Old Tafo Municipal Assembly  
Prohibition

**12. (1)** A person who,

(a) Refuses or willfully neglects to pay any basic rate payable by that person on or after the date on which the rate is payable;

(b) Makes a false statement as regards the liability of that person, to pay rates;

(c) Incites any other person to refuse to pay any rate payable by that person;

(d) Who assists a person to make a false statement as to the liability of the person to pay rates;

(e) Has not been authorized by an Old Tafo Municipal Assembly and collects or attempts to collect any rate.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred and twenty-five penalty units and not more than two hundred and fifty penalty units or imprisonment of not less than six months and not more than twelve months or to both.

#### **13. Rate Payers and Rate Collectors:**

(1) Old Tafo Municipal Assembly shall prepare and (1) maintain proper records of rate able persons and tenements in its area of authority.

(2) An Old Tafo Municipal Assembly may, in writing, authorize any suitable person, to be a rate collector in respect of a specified area of its authority.

(3) A rate collector shall

(a) Furnish the Old Tafo Municipal Assembly concerned with a written nominal roll of every rate able person in the area in respect of which the rate collector has been authorized to collect rates;

(b) Collect and receive rates payable from each person liable for the payment of rates in the area;

(c) Pay the amounts collected to the Old Tafo Municipal Assembly concerned; and

(d) Report any person who has failed to pay the amount due to the Old Tafo Municipal Assembly concerned.

#### **14. Penalty in Respect of Offences by Rate Collectors:**

(1) A rate collector who

(a) Fails to deposit with the Old Tafo Municipal Assembly concerned any sum of money collected as rates;

(b) Knowingly demands from any person an amount in excess of the duly assessed rates;

(c) Renders false returns, whether orally or in writing;

(d) Willfully fails to carry out a duty imposed as a rate collector.

(2) A rate collector who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred and twenty-five penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both the fine and term of imprisonment without limiting liability for civil action by the Old Tafo Municipal Assembly to recover what is due from the rate collector.

**15. Proceedings for Rates:**

Proceedings to enforce the payment of rates or for the imposition of penalties for nonpayment of rate shall not limit the right of any other person or authority to institute criminal proceedings taken by the Old Tafo Municipal Assembly

**16. Payment of Rates by Public Boards and Institutions and Government:**

Every public agency is liable to pay rates in respect of immovable property owned by it unless exempted from assessment and rating by law.

**17. Employers to Deduct Rates from Employees' Remuneration:**

(1) Every employer shall deduct a general or special rate imposed by a Old Tafo Municipal Assembly from the remuneration of each employee employed in the MUNICIPAL of the rating authority and it shall be the duty of the employee to notify or remind the employer in writing when the deductions become due.

(2) The deductions are made from the first installment of the remuneration due to be paid to the employee after the publication of the notice of the rate;

(3) Any sums deducted from the remuneration of an employee is held by the employer on behalf of the rating authority and is paid by the employer to Old Tafo Municipal Assembly after the deduction is made.

(4) This section applies to

(a) An employee who resides in the MUNICIPAL;

(b) An employee who to the knowledge of the employer, owns immovable property situated within the area to which the rate relates;

(c) An employee in respect of whom Old Tafo Municipal Assembly has notified the employer in writing in connection with any rate imposed by that authority

(i) That the employee resides in the MUNICIPAL;

(ii) That the employee owns immovable property with in the area to which the rate relates; or

(iii) That the employee is a person required to pay by virtue of being a registered voter in that MUNICIPAL despite the fact that the person does not reside in the MUNICIPAL.

(5) An employer who fails to pay the amount of general or special rate deducted from the remuneration of an employee to the rating authority within the time stipulated, commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty unit sand not more than two hundred penalty units or to a term of imprisonment of not less than three months and not more than six months or to both.

**18. Old Tafo Municipal Assembly to Appoint Agent for Collection of Rates:**

(1) Subject to section 172 on rate collectors, Old Tafo Municipal Assembly may appoint a person by notice in writing to be the agent for Old Tafo Municipal Assembly for the collection of specified basic rate payable by a person or persons of a class.

(2) The appointed person shall

(a) Deduct the rate specified in the notice; and

(b) Hold the sums deducted on behalf of the rating authority and pay the moneys to the rating authority within fifteen days after the day on which the agent was appointed by notice from the day on which the notice was served on that person.

**19. Set-off and Refund:**

A person is entitled to set off or refund for any sum paid as rates by that person to Old Tafo Municipal Assembly in respect of a deduction from remuneration by an employer or paid to an agent of Old Tafo Municipal Assembly

**20. Penalty:**

(1) Old Tafo Municipal Assembly may proceed against an employer required to deduct and pay any rate to Old Tafo Municipal Assembly or a person appointed as agent for the collection of any rates for an amount of rate as if the person was originally liable to pay the rate.

(2) The employer or agent shall be indemnified in respect of any act do in accordance with provision of this Bye-law.

**21. Duty to give Information and Inspection of Premises in Respect of Rates:**

(1) The Old Tafo Municipal Assembly, rate collector, any person authorized in writing by the Old Tafo Municipal Assembly, may request information from any person that may be reasonably required for the assessment or collection of rates.

(2) A person authorized in writing by Old Tafo Municipal Assembly may on the production of written authority from the Municipal Assembly enter any premises and request the production of books in the premises for inspection and may interview any person present on the premises that may be reasonably necessary at any reasonable time,

(a) Verify the accuracy of any information supplied; or

(b) Ensure that an employer has been deducting rates from the remuneration of employees.

**22. Prohibition:**

(1) A person who,

(a) Fails to supply information requested without reasonable excuse;

(b) Supplies information on request that that person knows to be false or which the person has no reasonable grounds to believe to be true, or

(c) Willfully obstructs any authorized person in the performance of functions.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of not less than one hundred and not more than two hundred penalty units or imprisonment for not less than two months and not more than six months or to both.

**23. Title:**

This Bye-law may be cited as Old Tafo Municipal Assembly (Payment and controllers of Revenue Collectors) Bye-laws, 2020

**24. Interpretation:**

“Special rate” means a rate made and levied over a specified area in the MUNICIPAL for the purpose of a specified project approved by the Old Tafo Municipal Assembly;

“Basic rate” means an amount imposed by the Old Tafo Municipal Assembly payable by a person of or above the age of eighteen years and below the age of seventy years who resides within a MUNICIPAL;

**25. Revocation:**

Any Bye-laws on payment and controllers of revenue collectors in existence before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Old Tafo Municipal Assembly held on the .....

SIGNED

SIGNED

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Presiding Member

Municipal Co-ordinating Director

Old Tafo Municipal Assembly and Secretary of Old Tafo Municipal Assembly

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

SIGNED

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