13. The Medical Officer of Health or any other officer authorized in writing by the Council on their behalf may, at all reasonable times, enter and inspect any licensed premises in the jurisdiction of the County Council, which he has reasonable cause to believe are being used for the purpose of carrying on a day nursery, commercial college or private school.

14. The fee payable for the grant, renewal or transfer of a licence under these By-laws shall be as per approved fees and charges for that year. The licensee shall be responsible for the due observance of these By-laws in respect of the premises for which he holds a licence and any other breach thereof by any servant/agent of the licence shall be deemed to be a breach by the licensee.

15. Any person who contravenes or who fails to comply with any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine not exceeding two thousand shillings or to imprisonment for a term of six months, or to both such fine and such imprisonment.

By Order of the County Council of Murang'a.

I. K. MUNGAI,
Acting Clerk to Council.

Approved this 11th day of May, 2004.

E. K. MAITHA,
Minister for Local Government.

LEGAL NOTICE NO. 74
THE LOCAL GOVERNMENT ACT
(Cap. 265)

IN EXERCISE of the powers conferred by sections 163, 148 and 201 of the Local Government Act, the County Council of Murang’a makes the following By-laws:—

THE COUNTY COUNCIL OF MURANG’A (BUSINESS PERMITS AND CONTROL OF TRADE) BY-LAWS, 2004

1. These By-laws may be cited as the County Council of Murang’a (Business Permits and Control of Trade) By-laws, 2004.

2. These By-laws shall come into operation on the day they are approved by the Minister for Local Government.

3. In these By-laws, unless the context otherwise requires—

“clerk” means the person for the time being holding the office of the Clerk to the County Council and includes his deputy;

“premises” means any building and includes temporary structures;

“vehicle” includes motor cars, lorries, buses, minibuses, vans and motor-cycles;

“invoice” means a list of charges for business identification;

“single business permit” means an authority authorizing a person to conduct a business.

4. (1) All invoices shall be issued to all persons intending to pay licences for the current calendar year.

(2) No person/trader shall be issued with a single business permit without an invoice.

(3) All invoices shall be produced to the licensing officer of the Council before a business permit or licence is issued.

5. (1) No person shall, within the jurisdiction of the Council, engage in any trade enumerated in the Fees Schedule unless he holds a Single Business Permit for the time being authorizing him/her to do so.

(2) No person shall, permit any person, agent or servant to conduct any business without a business permit authorizing him/her to do so.

(3) No plot owner shall permit any person, agent or servant to conduct business within his/her premises without a business permit for the time being authorizing him to do so.

(4) Any person, who contravenes paragraphs (1), (2), and (3), shall be guilty of an offence.

6. A Single Business Permit granted under these By-laws shall not be for a longer period than one year and every such Business Permit shall expire on the 31st day of December of the year in which it was issued.

7. (1) Such business permit shall, at all times, be displayed in a prominent, conspicuous place in the premises in which the business is normally conducted.

(2) If the business permit is granted for trade, which is done by use of a vehicle, such business permit shall, at all times, be carried in the vehicle when pursuing the trade. The business permit shall, at all times be produced on demand to a police officer or an authorized officer of the Council.

(3) If the business permit is granted for trade which is normally not pursued either in premises, nor by means of a vehicle, the business permit shall, at all times, be carried when pursuing the trade. Such business permit shall be produced on demand to a police officer or to an authorized officer of the Council.
13. The Medical Officer of Health or any other officer authorized in writing by the Council on their behalf may, at all reasonable times, enter and inspect any licensed premises in the jurisdiction of the County Council, which he has reasonable cause to believe are being used for the purpose of carrying on a day nursery, commercial college or private school.

14. The fee payable for the grant, renewal or transfer of a licence under these By-laws shall be as per approved fees and charges for that year. The licensee shall be responsible for the due observance of these By-laws in respect of the premises for which he holds a licence and any other breach thereof by any servant/agent of the licence shall be deemed to be a breach by the licensee.

15. Any person who contravenes or who fails to comply with any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine not exceeding two thousand shillings or to imprisonment for a term of six months, or to both such fine and such imprisonment.

By Order of the County Council of Murang’a.


I. K. MUNGAI,
Acting Clerk to Council.

Approved this 11th day of May, 2004.

E. K. MAITHA,
Minister for Local Government.

LEGAL NOTICE NO. 74
THE LOCAL GOVERNMENT ACT
(Cap. 265)

IN EXERCISE of the powers conferred by sections 163, 148 and 201 of the Local Government Act, the County Council of Murang’a makes the following By-laws:—

THE COUNTY COUNCIL OF MURANG’A (BUSINESS PERMITS AND CONTROL OF TRADE) BY-LAWS, 2004

1. These By-laws may be cited as the County Council of Murang’a (Business Permits and Control of Trade) By-laws, 2004.

2. These By-laws shall come into operation on the day they are approved by the Minister for Local Government.

3. In these By-laws, unless the context otherwise requires—

“Council” means the County Council of Murang’a;

“authorized officer” means an officer authorized in writing by the Council to do or to order another person to do or not to do any of the provisions of these By-laws;

“clerk” means the person for the time being holding the office of the Clerk to the County Council and includes his deputy;

“premises” means any building and includes temporary structures;

“vehicle” includes motor cars, lorries, buses, minibuses, vans and motor-cycles;

“invoice” means a list of charges for business identification;

“single business permit” means an authority authorizing a person to conduct a business.

4. (1) All invoices shall be issued to all persons intending to pay licences for the current calendar year.

(2) No person/trader shall be issued with a single business permit without an invoice.

(3) All invoices shall be produced to the licensing officer of the Council before a business permit or licence is issued.

5. (1) No person shall, within the jurisdiction of the Council, engage in any trade enumerated in the Fees Schedule unless he holds a Single Business Permit for the time being authorizing him/her to do so.

(2) No person shall, permit any person, agent or servant to conduct any business without a business permit authorizing him/her to do so.

(3) No plot owner shall permit any person, agent or servant to conduct business within his/her premises without a business permit for the time being authorizing him to do so.

(4) Any person, who contravenes paragraphs (1), (2), and (3), shall be guilty of an offence.

6. A Single Business Permit granted under these By-laws shall not be for a longer period than one year and every such Business Permit shall expire on the 31st day of December of the year in which it was issued.

7. (1) Such business permit shall, at all times, be displayed in a prominent, conspicuous place in the premises in which the business is normally conducted.

(2) If the business permit is granted for trade, which is done by use of a vehicle, such business permit shall, at all times, be carried in the vehicle when pursuing the trade. The business permit shall, at all times be produced on demand to a police officer or an authorized officer of the Council.

(3) If the business permit is granted for trade which is normally not pursued either in premises, nor by means of a vehicle, the business permit shall, at all times, be carried when pursuing the trade. Such business permit shall be produced on demand to a police officer or to an authorized officer of the Council.
(4) Every business permit holder, agent or servant shall, on demand furnish his/her full name and address to a police officer or authorized Council officer on demand.

(5) If the business is conducted or pursued by means of a vehicle, the driver will, at all times, stop after being stopped by a police officer or an authorized Council officer.

(6) Any person who contravenes paragraphs (1), (2), (3), (4) and (5), shall be guilty of an offence against these By-laws.

8. (1) A police officer or an authorized officer of the Council shall have powers to enter inside any premises, farms and vehicles, for the purpose of checking the contravention of these By-laws.

(2) A police officer or an authorized officer of the Council shall have powers to arrest, tow and detain vehicles and confiscate goods where these By-laws have been contravened.

(3) Any business permit holder, agent or servant or any other person who obstructs a police officer or an authorized Council officer, or who destroys any exhibit in custody while being held for contravention of these By-laws, shall be guilty of an offence.

9. Goods taken in custody or vehicles detained under these By-laws shall be disposed off in any of the following ways—

(a) If the goods are perishable, the Clerk or any officer authorized by him shall arrange for their disposal by way of sale or have them given to any of the Council orphanages.

(b) (i) For non-perishable goods, they shall remain in custody and they will be returned to the owner upon proof of ownership and after having abided by these By-laws.

(ii) If the goods remain in custody for a period of more than six months without claim of ownership, the Council shall sell the goods by public auction.

(iii) The proceeds of sale shall meet the expenses of transporting the goods from the place they were confiscated to the custody of the Council store and the cost of the sale; the surplus if any will be retained for a period of six months.

(iv) The surplus from the sale if any shall be returned to the owner of the goods sold upon proof of ownership and making the claim within six months from the date of sale.

(v) Any surplus from the sale if not claimed by the owner within six months from the date of sale shall be credited to the Council.

(vi) If the goods in the custody of the Council are claimed by the owner before six months, the owner will pay a storage fee as stipulated in the Fees Schedule.

(c) If a vehicle is towing a vehicle or detain vehicles and confiscate goods.

Disposal of goods taken in custody.

Liabilities.

Penalty.

Citation.

Commencement.

LEGAL NOTICE No. 75

THE LOCAL GOVERNMENT ACT

(Cap. 265)

THE TRUST LAND ACT

(Cap. 288)

IN EXERCISE of the powers conferred by sections 148, 154 and 201 of the Local Government Act, as read together with section 4 of the Trust Lands Act, the County Council of Murang’a makes the following By-laws.


1. These By-laws may be cited as the County Council of Murang’a (Control of Sand, Quarries) By-laws, 2004.

2. These By-laws shall come into operation on the day they are approved by the Minister for Local Government.
(4) Every business permit holder, agent or servant shall, on demand furnish his/her full name and address to a police officer or an authorized Council officer on demand.

(5) If the business is conducted or pursued by means of a vehicle, the driver will, at all times, stop after being stopped by a police officer or an authorized Council officer.

(6) Any person who contravenes paragraphs (1), (2), (3), (4) and (5), shall be guilty of an offence against these By-laws.

8. (1) A police officer or an authorized officer of the Council shall have powers to enter inside any premises, farms and vehicles, for the purpose of checking the contravention of these By-laws.

(2) A police officer or an authorized officer of the Council shall have powers to arrest, tow and detain vehicles and confiscate goods where these By-laws have been contravened.

(3) Any business permit holder, agent or servant or any other person who obstructs a police officer or an authorized Council officer, or who destroys any exhibit in custody while being held for contravention of these By-laws, shall be guilty of an offence.

9. Goods taken in custody or vehicles detained under these By-laws shall be disposed off in any of the following ways—

(a) If the goods are perishable, the Clerk or any officer authorized by him shall arrange for their disposal by way of sale or have them given to any of the Council orphanages.

(b) (i) For non-perishable goods, they shall remain in custody and they will be returned to the owner upon proof of ownership and after having abided by these By-laws.

(ii) If the goods remain in custody for a period of more than six months without claim of ownership, the Council shall sell the goods by public auction.

(iii) The proceeds of sale shall meet the expenses of transporting the goods from the place they were confiscated to the custody of the Council store and the cost of the sale; the surplus if any will be retained for a period of six months.

(iv) The surplus from the sale if any shall be returned to the owner of the goods sold upon proof of ownership and making the claim within six months from the date of sale.

(v) Any surplus from the sale if not claimed by the owner within six months from the date of sale shall be credited to the Council.

(vi) If the goods in the custody of the Council are claimed by the owner before six months, the owner will pay a storage fee as stipulated in the Fees Schedule.

(c) If a vehicle is towed and detained, the Council shall release it to the owner after he has paid the towing charges, bond fees and any other penalty stipulated in the Fees and Charges Schedule, after the owner proving that he has abided with the Council By-laws contravened.

10. No liability shall be attached to the Council, police officers or any officer of the Council in respect of:

(a) Any damage incurred by or caused to any goods being taken into custody.

(b) Any damages caused to a vehicle while in pursuit of contravention of these By-laws.

(c) Any damage caused to a vehicle when the vehicle is being towed to the police station or Council yard.

(d) The release of goods taken into custody to another person other than the owner.

11. Any person who is guilty of an offence under these By-laws shall be liable to a fine not exceeding two thousand shillings or to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

By Order of the County Council of Murang'a.


I. K. MUNGAI,
Acting Clerk to Council.

Approved this 11th day of May, 2004.

E. K. MAITHA,
Minister for Local Government.