

STATUTORY INSTRUMENTS SUPPLEMENT
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STATUTORY INSTRUMENTS.

2003 No. 93.

THE FORT PORTAL MUNICIPALITY (MAINTENANCE OF PREMISES, ROAD
VERGES AND TREES) BYE LAWS, 2003.

ARRANGEMENT OF BYE LAWS.

Bye law.

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STATUTORY INSTRUMENTS.

2003 No. 93.

The Fort Portal Municipality (Maintenance of Premises, Road Verges and Trees) Bye Laws, 2003.

*(Under section 40 of the Local Governments Act, 1997,
Act No. 1 of 1997)*

IN EXERCISE of the powers conferred upon the Fort Portal Municipal Council by section 40 of the Local Governments Act, these Bye laws are made this 19th day of August, 2003.

PART I—PRELIMINARY.

1. Citation

These Bye laws may be cited as the Fort Portal Municipality (Maintenance of Premises, Road Verges and Trees) Bye laws, 2003.

2. Interpretation

In these Bye laws, unless the context otherwise requires—

“court” means a Magistrate’s Court of competent jurisdiction;

“currency point” has the meaning assigned to it in the Schedule to these Bye laws;

“occupier” means a person in physical occupation of premises, regardless of the title under which he or she occupies the premises;

“premises” means land or a building intended for human habitation as a residence or for commercial or industrial business, entertainment, sports, religious functions, education or other similar purpose;

“road-verge” means a road reserve consisting of space between a road and an adjacent premises;

“tree” means a plant with a single trunk which is woody and branched.

PART II—PUBLIC HEALTH.

3. Grass to be short

An occupier of premises shall keep the grass on the premises and on the road-verge short.

4. Trimming of fences, hedges and trees

An occupier of premises shall, where instructed to do so by the Council, remove or lower any fence or wall, trim any tree, hedge or scrub over-hanging any street or interfering with the passage of traffic or pedestrians on the street.

5. Prohibition of urinating in streets, etc

A person shall not urinate on any part of the street, lane or open space within the Municipality.

6. Depositing refuse on public places unlawful

A person shall not deposit on any street or public place refuse, rubbish, a derelict vehicle or any part of vehicle carcass or any other waste material of any nature.

7. Public toilets

No person shall use any public toilets without payment of a user charge to the Council or its agent.

PART III—DISPOSAL OF REFUSE, BURNING OF GRASS AND ENVIRONMENT PROTECTION.

8. Disposal of refuse

An occupier of premises within the Municipality shall, at all reasonable times, collect and burn, bury or otherwise dispose of all refuse from the premises and the road verge.

9. Burning bricks without permit prohibited

A person shall not burn bricks or quarry stones, sand, murrum or other building materials within the Municipality without a valid permit from the Council.

10. Quarry to be restored environmentally

A user of a quarry shall restore the land to its original state after using the quarry.

11. Providing a dustbin

An occupier of a building or plot shall provide and maintain a dustbin of a size and shape approved by the Council.

12. Disposal of dead animals

No person shall dispose or throw any dead animal on a street, lane, passage, an open area or in a river or stream.

13. Swimming, bathing or washing in the river

A person shall not swim, bathe or wash in River Mpanga or its tributary streams in a manner that is likely to pollute the water.

14. Disposal of waste and water into the streets

A person shall not let any water, waste water, fifth or anything waste product run or flow into or upon any street, road, passage, lane, or footpath.

15. Burning grass and rubbish

A person shall not burn rubbish or grassland in the Municipality other than within premises.

16. Using barbed wire and broken glasses on fences prohibited

An occupier of a plot shall not use barbed wire or broken glass on a fence or wall enclosing the plot without the written permission of the Council.

17. Cutting of trees prohibited

A person shall not cut a tree or any other vegetation in the Municipality except with the permission of the Council.

18. Re-placement of trees

Where a tree is cut, with the permission of the Council, two young trees must be planted to replace it, in accordance with the advice of the Town Clerk.

19. Planting of trees on main roads

An occupier of land within the Municipality shall plant trees on the road reserve or space between a road reserve and the occupier's plot.

20. Cultivation on road-verges

(1) A person shall not cultivate any crop on a road-verge or in the compound of his or her premises.

(2) For the purpose of these Bye laws, a crop on a road-verge in contravention of these Bye laws, shall be deemed to have been planted by the occupier of the premises adjacent to the road-verge, unless the contrary is proved.

21. Rearing of animals

A person shall not rear, graze or keep any animal in the Municipality without permission from the Council.

22. Service of notice

(1) Where an occupier fails to comply with the provisions of bye law 7 or bye law 19, the Council may serve notice on the occupier requiring him or her to cut the grass within a specified time, collect or dispose of the refuse from the premises or road-verge or to remove a crop from the road verge.

(2) Where service of notice cannot be effected personally on the occupier of the premises or on a member of his or her family, notice may be served by affixing a copy of the notice on the outer door or on another conspicuous part of the occupier's premises.

23. Offences

(1) Any occupier who fails to comply with a notice issued under bye-law 21 of these Bye laws commits an offence and on conviction is liable to a fine not exceeding five currency points, a term of imprisonment not exceeding six month; or a fine and imprisonment.

(2) Any person who contravenes any of the provisions of these Bye laws commits an offence and is liable on conviction, to a fine not exceeding five currency points or imprisonment not exceeding six months or both.

(3) In addition to the penalties prescribed in this bye-law, court may order the convicted person to pay to the Council all expenses incurred by the Council as a result of the and in particular in rectifying any damage caused as a result of the offence.

Passed under the Common Seal of Fort Portal Municipal Council, this 19th day of August, 2003.

SCHEDULE.

A currency point is equivalent to twenty thousand shillings.

ASABA E. RUYONGA ADYEERI,
Chairperson Fort Portal Municipal Council.