



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

TUESDAY, AUGUST 3, 2021 AT 9.30 A.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

**8. *BILL – COMMITTEE OF THE WHOLE ASSEMBLY TO CONSIDER THE
NAIROBI CITY COUNTY PUBLIC NUISANCE BILL, 2020**

Subject: Committee of the Whole Assembly

The Nairobi City County Public Nuisance Bill, 2020 (Assembly Bill No. 5 of 2020)

(Committee of the Whole Assembly)

(Hon. James Kiriba Kariuki, MCA)

NOTICES

I. THE NAIROBI CITY COUNTY PUBLIC NUISANCE BILL, 2020 (ASSEMBLY BILL NO. 5 OF 2020)

NOTICE is given that the Chairperson of the Select Committee on Environment and Natural Resources intends to move the following amendments to the Nairobi City County Public Nuisance Bill, 2020, at the Committee Stage: -

CLAUSE 1

THAT, Clause 1 be amended by deleting the numeric “2020” and substituting with the numeric “2021” therefor.

LONG TITLE

THAT, the Long Title be amended by deleting the numeric “2020” and substituting with the numeric “2021” therefor.

CLAUSE 2

THAT Clause 2 of the Bill in the Interpretations be amended as follows: -

- (i) “Department” by deleting the word environment and thereof replacing with the word public nuisance.
- (ii) “Protected area” by deleting the word for grazing animals.
- (iii) “Public Place” by inserting the words public roads and any open space to which the public has access to.
- (iv) By introducing the word “permit” and its interpretation, “means a document issued by the county to an entity to conduct business within Nairobi City County.
- (v) By introducing the word “permit holder” and its interpretation, “means a business entity authorized to conduct business within Nairobi City County.

CLAUSE 4

THAT Clause 4 of the Bill be amended by deleting the words, “Application of related laws and replacing with “Savings of cap 242, 254, 387,245A and Land Use Act.

CLAUSE 5

THAT Clause 5 sub clause (2) of the Bill be amended by deleting the word “County Gazette” and replacing with the word “Kenya Gazette”.

CLAUSE 6

THAT Clause 6 (g) of the Bill be deleted in its entirety.

CLAUSE 7

THAT Clause 7 of the Bill be amended as follows: -

- (i) By introducing a new sub clause immediately under sub clause (4) as follows;

NEW SUB CLAUSE

(5) The County Assembly shall play an oversight role over the administrative provisions and functions of this Act.

CLAUSE 8

THAT Clause 8 (1) of the Bill be amended as follows: -

- (i) by deleting sub clause (a) in its entirety
- (ii) by deleting sub clause (e) in its entirety
- (iii) by adding the words, “without cleaning up after the dog” immediately after the word street
- (iv) by deleting sub clause (g) in its entirety
- (v) by deleting sub clause (i) in its entirety

CLAUSE 11

THAT Clause 11 (1) (f) of the Bill be amended by inserting the following words “and shall upon conviction be liable upon conviction”, immediately after the word offence.

CLAUSE 12

THAT Clause 12 sub clause (2) of the Bill be amended by inserting a new sub clause 12 (3), “no license shall be issued unless the health authority is satisfied that the provision of the law has been complied with and the prescribed fee has been paid to the county.

CLAUSE 20

THAT Clause 20 of the bill be amended as follows: -

- i) In sub clause (1) (b) in the eighth paragraph by deleting the word “inmates” and thereof substituting it with the word “dwellers”.
- ii) By introducing a new sub clause immediately under sub clause (1) (b) as follows;

NEW SUB CLAUSE

(1) (c) “in any street or designated public service vehicle terminus or stage within the Central Business District hoot a public service vehicle and or matatu loudly and continuously as for the hooting to constitute noise”.

iii) In sub clause (5) by adding the expression “or to an impounding or forceful removal of the equipment causing noise” immediately after the expression “6 months or both”.

CLAUSE 23

THAT Clause 23 of the Bill be amended as follows: -

(i) By deleting sub clause (3) in its entirety.

CLAUSE 24

THAT Clause 24 of the Bill be amended by deleting the word “section” and thereof replacing it with the word “clause”.

CLAUSE 30

THAT Clause 30 sub clause (4) of the Bill be amended by deleting the words, “Within thirty days” and replacing it thereof with the word twenty-four hours”.

CLAUSE 31

THAT Clause 31 of the Bill be amended as follows: -

(i) By deleting the expression “one hundred and eighty days” in the sixth paragraph and replacing it thereof with the expression “twenty-four hours”.

II. The Assembly resolved on Tuesday, 9th February, 2021 as follows: -

THAT, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on **Bills NOT** sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

*** Denotes Orders of the Day ***

NOTICE PAPER I

**Tentative business for
Tuesday, 3rd August, 2021 at 2.30p.m.**

(Published pursuant to Standing Order 39(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Tuesday, 3rd August, 2021 at 2.30 p.m.: -

**A. BILL – COMMITTEE OF THE WHOLE ASSEMBLY TO CONSIDER THE
NAIROBI CITY COUNTY SEXUAL AND GENDER BASED VIOLENCE
MANAGEMENT AND CONTROL BILL, 2019**

Subject: Committee of the Whole Assembly

The Nairobi City County Sexual and Gender Based Violence Management and Control Bill, 2019 (Bill No. 7 of 2019).

(Committee of the Whole Assembly)

(Hon. Wanjiru Kariuki, MCA)

