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NAIROBI CITY COUNTY ACTS, 2026

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**THE NAIROBI CITY COUNTY CLEAN, RENEWABLE AND
SUSTAINABLE ENERGY ACT, 2026**

No. 6 of 2026

Date of Assent: 3rd July, 2026

Date of Commencement: 14th July, 2026

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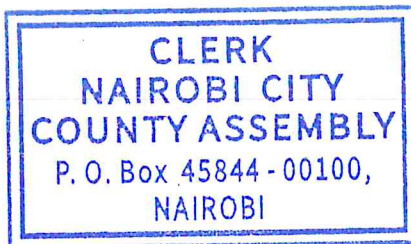
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**THE NAIROBI CITY COUNTY CLEAN, RENEWABLE AND
SUSTAINABLE ENERGY ACT, 2026**

**AN ACT of the County Assembly of Nairobi City to provide for the
promotion and regulation of clean, renewable and sustainable
energy within the Nairobi City County and for connected
purposes**

ENACTED by the County Assembly of Nairobi City, as follows—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Nairobi City County Clean, Renewable and Sustainable Energy Act, 2026.

Interpretation

2. In this Act, unless the context otherwise requires—

“board” means the Nairobi City County Renewable Energy Board established under section 12;

“clean energy” means energy that comes from renewable, zero emission sources that do not pollute the atmosphere when used, as well as energy saved by energy efficiency measures;

“Energy Act” means the national Energy Act of 2019;

“executive committee member” means the County Executive Committee Member responsible for matters related to energy;

“renewable energy unit” means the unit established under section 10;

“renewable energy” means electricity, heat, non-fossil energy and all forms of energy generated from natural non depleting resources including but not limited to solar energy, wind energy, biomass energy, biological waste energy, hydro energy and geothermal energy;

“sustainable” sustainable in reference to energy means derived from resources and technologies that can maintain current operations without jeopardizing the energy needs and climate of future generations.

Objectives of the Act

3. The objectives of this Act are to —

- (a) promote the production and distribution of energy through the use of renewable energy sources in accordance with climate, environment and macro-economic considerations in order to reduce dependence on fossil fuels, ensure security of supply and reduce pollutants and other greenhouse gases;

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- (b) ensure fulfilment of the county and national objectives on increasing the proportion of energy produced through the use of renewable energy sources;
- (c) establish a Board responsible for spearheading and champion for clean and sustainable energy;
- (d) set up the necessary institutional structure for the implementation of the long-term energy strategy for the county;
- (e) to ensure access to reliable, competitive, affordable electricity and clean cooking solutions for all residents of Nairobi City County;
- (f) to promote adoption for Productive use of Renewable Energy in Nairobi City County;
- (g) to promote energy efficiency and conservation in the County;
- (h) to create more enabling environment to enable sustainable energy investments and funds mobilization in the county; and
- (i) promote accessibility and availability of up to date and quality disaggregated energy data.

Application

4. This Act shall apply to, and govern all, other areas or incidental matters of clean, renewable and sustainable energy not covered by any existing law.

**PART II—GENERAL FUNCTIONS AND RESPONSIBILITIES
OF THE COUNTY GOVERNMENT ON RENEWABLE
ENERGY**

Functions and role of the County Government in respect of clean and renewable energy

5. The county government shall, in accordance with the Fifth Schedule to the national Energy Act, be responsible within the county for—

- (a) county energy planning;
- (b) preparation of county energy plans, incorporating renewable energy master plans;
- (c) physical planning relating to energy resource areas such as dams, solar and wind farms, municipal waste dumpsites, agricultural and animal waste for production bio energy feedstock;
- (d) provision of land and rights of way for energy infrastructure;

- (e) facilitation of energy demand by planning for industrial parks and other energy consuming activities;
- (f) county energy regulation of—
 - (i) regulation and licensing of retail petroleum service stations;
 - (ii) regulation and licensing of County gas reticulation systems;
 - (iii) regulation and licensing and supply of retail coal products for domestic use;
 - (iv) regulation and licensing of designated parking for petroleum tankers;
 - (v) regulation and licensing of biomass production, transport and distribution;
 - (vi) regulation and licensing of biogas systems
 - (vii) regulation and licensing of charcoal production, transportation and distribution;
- (g) adopt and where necessary adapt the National codes for energy efficiency and conservation in buildings to local conditions;
- (h) collect and maintain energy data, desegregated into renewable, clean and sustainable energy;
- (i) undertake feasibility studies and maintain data with a view to availing the same to developers of energy resources and infrastructure;
- (j) establishment of energy centres for promotion of renewable energy technologies, energy efficiency and conservation;
- (k) protection of energy infrastructure including oil and gas fields and pipelines, refineries, power plants, control centres, electric supply lines, substations and depot;
- (l) undertake energy efficiency and conservation within the county.

Collaboration with the National Renewable Energy Corporation

6. The county government shall cooperate with the national Renewable Energy Corporation in carrying out functions that shall include, among other things, to develop, promote and manage in collaboration with other agencies, the use of renewable energy and technologies.



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Development, etc. of energy plans as per section 5 of the Energy Act

7. The county executive committee member shall, in consultation with all stakeholders, develop, publish and review energy plans in respect of renewable energy as required by the national Energy Act.

County Executive Committee Member to develop and submit a County Energy Plan to the Cabinet Secretary

8. The county executive committee member shall be responsible, on behalf of the county government, to develop and submit a county energy plan to the Cabinet Secretary in respect of the Nairobi City County's energy requirements in accordance with section 5 of the national Energy Act within 24 months of the entry into force of this Act.

County Executive Committee Member to collaborate with the Cabinet Secretary

9. (1) The county executive committee member shall be responsible, on behalf of the county government, for coordination of collaboration with the Cabinet Secretary in the development of a conducive environment for the promotion of investments in renewable and sustainable energy infrastructure development, including—

- (a) formulation of guidelines in collaboration with relevant county agencies for the development of energy projects;
- (b) dissemination of the guidelines among potential investors in accordance with section 8 (1) of the national Energy and Petroleum Act.

(2) In promoting renewable energy investments in the county, the county government shall collaborate with the national government in the facilitation of the acquisition of land for energy infrastructure development in accordance with the law in accordance with section 8(2) Of the national Energy and Petroleum Act.

Establishment of Renewable Energy Unit

10. (1) The county government shall establish a renewable energy unit for purposes of—

- (a) ensuring the coordination of the renewable energy activities within the county; and
- (b) maintenance and inspection of renewable energy infrastructure.

(2) The county executive committee member shall make regulations for the composition and, general, operationalisation of the renewable energy unit.

(3) The expenses of the Renewable Energy Maintenance Unit shall be met out of funds voted for the purpose by the county assembly.

PART III— RENEWABLE ENERGY GENERATION AND USE

County Government to promote investment and use of clean and renewable energy

11. The county government shall adopt Regulations to promote investment and use of clean and renewable energy by—

- (a) develop and implement incentives including financial and non-financial measures to promote investment in and the adoption and use of clean renewable and sustainable energy;
- (b) advance local economic development, through local job creation and energy access in local industries and neighbourhoods;
- (c) undertake periodic and comprehensive market analysis and studies to assess the local market for building scale and distributed clean renewable and sustainable energy;
- (d) identify investment gaps and barriers and determine appropriate policy responses and publish the findings;
- (e) develop offer incentives to distributed renewable energy systems from property tax assessments;
- (f) work with interested stakeholders including civil society organisations, communities and private sector actors to design incentive or support programmes for the adoption and generation of clean, renewable and sustainable energy;
- (g) streamline the approval process for renewable installations below a size as will be prescribed in regulations to encourage building-scale projects;
- (h) establishing clear permitting criteria for renewable energy projects will also help to reduce risk for developers, as it makes it easier to develop projects with a high likelihood of approval;
- (i) mandate the integration of building scale renewable energy systems through green building codes by requiring new developments, residential and commercial buildings and major roof replacements to install or be designed to accommodate building scale renewable energy technologies such as solar Photovoltaic (PV) systems and solar water heating systems to provide a sustainable roofing zone covering at least 50% of the roof area in accordance with the prescribed building standards as

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a condition for development approval or compliance with applicable building codes;

- (j) consult with developers and energy market experts to ensure that the building code accounts for local renewable energy technology and development costs;
- (k) sensitise the public on the importance of clean, renewable and sustainable energy;
- (l) encourage and incentivise motor vehicles to adopt clean energy;
- (m) promote and facilitate community solar projects including but not limited to jointly owned installations by resident associations for buildings unsuitable for onsite solar generation due to size, shading orientation or structural limitations whether roof or ground based including installations on community buildings such as churches or schools and publicise such projects to enhance participation and access to energy; and
- (n) procure electricity from small, renewable power providers to support small-scale energy generation programmes.

PART IV—NAIROBI CITY COUNTY RENEWABLE ENERGY BOARD

Establishment of the Nairobi City County Renewable Energy Board

12. (1) There is established the Nairobi City County Renewable Energy Board.

(2) The Board shall comprise—

- (a) a chairperson appointed by the governor and approved by the county assembly;
- (b) three persons, who shall respectively be in possession of a degree respectively in economics, energy and law appointed by the governor and approved by the county assembly;
- (c) the chief officer responsible for matters relating to renewable energy;
- (d) the director renewable energy unit who shall be the secretary to the Board.

(3) A person shall be qualified for appointment under this section as a Chairperson if the person—

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- (a) is a holder of a degree recognized in Kenya in the fields of engineering, physical sciences, law, finance, economics or energy;
 - (b) not less than seven years' experience in matters related to renewable energy.
- (4) A member of the Board (other than Chief Officer Energy and Director Renewable Energy Unit who are the *ex-officio* members) may be removed from office only for—
- (a) serious violation of the Constitution of Kenya 2010 or any other law including the contravention of Chapter six;
 - (b) gross misconduct, whether in the performance of the member's or office holder's functions or otherwise;
 - (c) physical or mental incapacity to perform the functions of office;
 - (d) incompetence; or
 - (e) bankruptcy.
- (5) The members of the Board, except the *ex-officio* members, shall serve for a term of three years renewable once.

Remuneration of members of the Board

13. (1) The expenses of the Board shall be met out of funds voted for the purpose by the county assembly.

(2) Members of the Board may receive allowances, with the amounts determined through consultation with the Salaries and Remuneration Commission (SRC) and the County Executive Member (CECM) for Finance.

Functions of the Board

14. (1) The Board shall perform such functions and exercise such powers as may be necessary under this Act to —

- (a) advise the county government on the short and long term energy strategy for the county;
- (b) source additional funds for renewable energy activities and investment within the county;
- (c) develop master plans in consultation with the other relevant county government's departments and in consultation with stakeholders;
- (d) develop and update the county renewable energy master plan taking into account specific needs of the Nairobi City County

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and the principle of equity in the development of renewable energy resources;

- (e) advise the county government on the provision of incentives for innovative low-carbon technologies, private sector participation, and customer demand for clean and renewable energy sources;
- (f) advise the county government on the implementing county climate change mitigation policies and strategies that aim to significantly reduce greenhouse gas emissions;
- (g) advise the county government on tax incentives to consumers for conservation and installed energy efficiency and tax holidays for clean power producers;
- (h) set code references for energy conservation and energy audit procedures for all new non-residential buildings and those undergoing substantial renovations;
- (i) establish mechanisms for training and capacity building in clean and renewable energy in collaboration with tertiary and other institutions of higher learning; and
- (j) work with the relevant county department to make the Annual Reports available to the public, including through the County's website.

(2) The Renewable Energy Maintenance Unit shall provide secretariat services to the Board.

Annual Report

15. (1) the board must within three (3) months after the end of each financial year prepare and submit to the County Executive Committee Member of Energy a report of the operations of the Board and the Maintenance Unit for the immediately preceding year.

(2) The annual report must provide information regarding the activities and plans of the Board and Maintenance Unit during the year which it relates sufficient to impart an accurate understanding of the nature and scope and its activities and its plans and priorities.

(3) The County Executive Committee Member must within twenty-one days of receiving report transmit the report to the clerk for tabling before the county Assembly for consideration.

(4) The County Assembly may after considering the report make recommendations on appropriate ways of effectively implementing the Act.

**PART V—THE NAIROBI COUNTY CLEAN RENEWABLE AND
SUSTAINABLE ENERGY FUND**

Establishment of the Fund

16. (1) There is established the Nairobi County Clean Renewable and sustainable energy Fund.

(2) The sources of the Fund shall be—

- (a) monies appropriated by the county assembly for the purposes of the fund;
- (b) monies donated to the fund from any lawful source;
- (c) monies that may accrue to the fund in the course of the performance of the functions of the council.

(3) For the avoidance of doubt, the fund shall be managed in accordance with the national Public Finance Management Act.

(4) The County Executive Committee Member Finance shall designate a person responsible for administering the Fund. In accordance with the provisions of section 116(2) of the Public Finance Management Act.

Application of the Fund

17. The Fund shall be used for—

- (a) finance the construction, expansion and modernization of renewable energy projects, including solar wind and other related facilities, and support the development and deployment of clean energy technologies;
- (b) supporting grid integration and development of sustainable energy storage solutions to improve reliability and efficiency;
- (c) funding scientific research, pilot programs and innovations that enhance energy efficiency, affordability and accessibility;
- (d) provide financial assistance and other incentives to households and business to adopt productive use of renewable energy and to implement sustainable energy solutions, including solar panels and energy efficient appliances;
- (e) supporting education, training and workforce development programs in renewable energy sectors;
- (f) facilitating partnerships with academic institutions and industries to enhance knowledge transfer and expertise in sustainable energy fields;

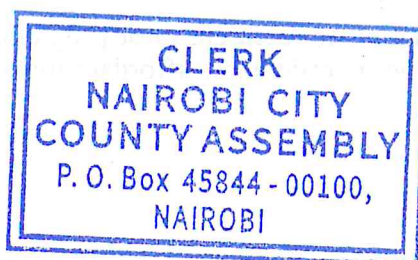
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- (g) finance expansion of existing and establishment of Electric Vehicle (EV) charging station;
- (h) development and implementation of integrated County Energy Plan, Strategies and policies; and
- (i) finance periodic energy data collection, maintenance and updating of energy data platform.

PART VI—REGULATIONS**Regulations**

18. The county executive committee member, shall within three months of the coming into operation of this Act, make regulations for the implementation of this Act and may, without prejudice to the generality of the foregoing, make regulations —

- (a) on composition, functions and the manner of operation of the county clean renewable energy maintenance unit;
- (b) on criterion of granting incentives for the furtherance of the objectives of this Act.
- (c) to provide for the timelines within which any action required shall be taken;
- (d) on penalties for non-compliance; and
- (e) on such other matter as may be necessary and expedient for the furtherance of the objectives of this Act.



SCHEDULE**THE CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD****Meetings**

1. The Board shall meet as often as may be necessary for the dispatch of its business but there shall be at least four meetings of the Board in any financial year.

Election of Vice Chairperson

2. At the first meeting, the Board shall elect a vice-chairperson amongst their number and regard shall be taken to ensure that the chairperson and vice-chairperson shall be of opposite gender.

Time and place of meetings.

3. A meeting of the Board shall be held on such date and at such time and place as the Board may determine.

Special meetings

4. The chairperson shall, on the written application of one-third of the members, convene a special meeting of the Board.

Quorum

5. The quorum for the conduct of business at a meeting of the Board shall be any three members excluding ex-officio members of the Board.

Voting

6. The Chairperson shall preside at every meeting of the Board at which he or she is present and in the absence of the chairperson at a meeting, the vice-chairperson, shall preside and in the absence of both the chairperson and the vice-chairperson, the members present shall elect one of their number who shall, with respect to that meeting and the business transacted in that meeting, have all the powers of the chairperson.

Decisions of the Board

7. Unless a unanimous decision is reached, a decision on any matter before the Board shall be by concurrence of a majority of all the members present and voting at the meeting.

Validity of proceedings.

8. Subject to paragraph 5, no proceedings of the Board shall be invalid by reason only of a vacancy among the members thereof.

Signification of instruments and decisions of the Board

9. Unless otherwise provided by or under any law, all instruments made by and decisions of the Board shall be signified under the hand of the Chairperson.

