

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

FIRST ASSEMBLY – THIRD SESSION

*Paper lead by the  
Chairman - Budget  
Committee on  
13/10/2015.  
AKO/gg  
JK-A/c  
13/10/15*

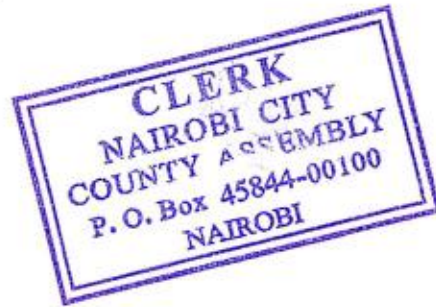
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REPORT OF THE SELECT COMMITTEE ON BUDGET AND  
APPROPRIATIONS

ON

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THE FINANCE BILL, 2015



OCTOBER 2015

**Mr. Speaker Sir**, the Constitution of Kenya 2010 remains the over-anchoring law that directs all activities and operations of the new systems and levels of government. That basic law provides guidelines on which revenues the county governments can impose in addition to setting restrictions on how such levies can be implemented. The County Governments Act, 2012 anticipated that county governments shall form one Committee to be called the Budget and Finance Committee which would keep track of the revenue raising measures. The Committee is convinced that the second schedule of the County Governments Act, 2012 anticipates a Committee on Budget and Finance with the key mandate of performing oversight over finance matters. Taking a lead from the Kenya National Assembly Standing Orders the Finance Committee has responsibility over public finances, monetary policies, public debt and financial institutions. In line with the County Assembly Standing Orders and following from precedents from other jurisdictions with similar responsibilities the Nairobi City County Budget and Appropriations Committee is mandated to consider all matters related to budget financing.

Standing Order 187 establishes the Budget & Appropriations Committee with a specific mandate which is to:

- a) *Investigate, inquire into and report on all matters related to coordination, control and monitoring of the of the county budget;*
- b) *Discuss and review the estimates and make recommendations to the County Assembly;*
- c) *Examine the County Fiscal Strategy Paper presented to the County Assembly;*
- d) *Examine Bills related to the county budget, including Appropriations Bills; and*
- e) *Evaluate tax estimates, economic and budgetary policies and programs with direct budget outlay*

**Mr. Speaker Sir,**

In line with the provisions of Sections 132 and 133 of the Public Finance Management Act, 2012 the proposed Finance Bill, 2015 was submitted to the Assembly in the month of August. Having been laid in the Assembly, the Bill stood committed to the Budget and Appropriations Committee for consideration.

**Mr. Speaker Sir**, the County Assembly Budget & Appropriations Committee comprises of the following 19 Members:

- |                                    |                      |
|------------------------------------|----------------------|
| 1. <b>Hon. Michael Okumu, MCA</b>  | <b>Chairman</b>      |
| 2. <b>Hon. George Ochola, MCA.</b> | <b>Vice Chairman</b> |
| 3. Hon. Alexina Mudi, MCA.         |                      |
| 4. Hon. Maurice Akuk, MCA          |                      |



5. Hon. Fredrick Obenge, MCA
6. Hon. Osman Ibrahim, MCA.
7. Hon. Jackson Kiama, MCA.
8. Hon. Kenneth Thugi, MCA
9. Hon. David Kairu, MCA
10. Hon. Helen Katangie, MCA
11. Hon. Herman Azangu, MCA
12. Hon. Emmaculate Musya, MCA
13. Hon. Joash Omwenga, MCA
14. Hon. Kennedy Oduru, MCA
15. Hon. Isaac Ngige, MCA
16. Hon. Ngaruiya Chege, MCA
17. Hon. Samuel Irungu, MCA
18. Hon. Bernadette Wangui, MCA
19. Hon. Victoria Alali, MCA

**Mr. Speaker Sir**, this is the third Finance Bill that the Committee has had the privilege to review and it hence marks a great achievement not only for the Committee but also for the Assembly. These deliberations have come at a time when the County has fully gotten to understand the expectations of the Constitution of Kenya 2010 with regard to revenue raising measures and powers conferred by that basic law. In the aftermath of the passage of the 2013/14 Finance Bill many affected parties sought court redress thereby forcing the County to change its revenue projections and consequently revise downwards its overall budget. Whereas the County believes the charges imposed were warranted, the Committee believes the uproar might have been occasioned by lack of understanding on the real intentions for the proposed changes. In this regard, the Committee has undertaken measures to ensure that the public is given necessary information on any proposed adjustments from the various revenue streams.

**Mr. Speaker Sir**, no single individual has a template of how this animal called devolution should work and therefore the Committee appreciates any mistakes that might have been made in the past two years not only as vital lessons from which we all must learn but also as necessary stepping stones towards determining what is good for this great County. It is from these experiences that the Committee took a lot of due diligence to ensure that the revenue targets are not only realistic but also objective.

**Mr. Speaker Sir,**

In the course of the deliberations on the Finance Bill, 2015 the Committee held a total of eight sittings, a number of which the Officers from the County Treasury were given the opportunity to explain to the Committee the reasoning behind the proposed alterations.

**Mr. Speaker,** I would like to thank Members of the Budget and Appropriations Committee for their dedication, untiring commitment and valuable contributions. It is because of their dedications that we have been able to complete this demanding task.

**Mr. Speaker Sir,** the Committee thanks the Offices of the Speaker and the Clerk for the support extended during the execution of its mandate.

**Mr. Speaker Sir**

On behalf of the Committee and pursuant to the provisions of Standing Order 217 and Section 133 of the PFM Act, 2012 it is my pleasant duty to table the Report of the Select Committee on Budget and Appropriations on the Consideration of the Finance Bill, 2015.

I thank you.

Signed.......... Date.....13/12/15.....

**Hon. Michael O. Okumu, MCA**

**Chairperson, Budget and Appropriations Committee**



**SCRUTINY OF THE FINANCE BILL, 2015****A. KEY HIGHLIGHTS OF THE BILL**

- a) **Mr. Speaker Sir**, Clause 2 (a) of the Bill seeks to rename the debutant Finance Act, 2013 to Nairobi City County Revenue Act, 2013. As members are aware this was the first such Bill to be considered by the Assembly. Finance Bills by their very nature are amendment Bills hence they are never stand-alone pieces of legislations as they only aim to alter other statutes. In the case of Nairobi County where such primary laws on various sources of revenue are non-existent it is proposed that the Bill would be amending the Revenue Act.
- b) **Mr. Speaker Sir**, this Finance Bill has undertaken to bring relief to the City Residents who were agitated with the coming into force of the Finance Act, 2013.
- c) Further **Mr. Speaker Sir**, and as Members may recall the Finance Act, 2013 was in no way exhaustive on all the charges that could be imposed by the County. This Bill has proposed to incorporate areas that were left out of the Finance Act and make them enforceable within a legal framework. In addition the Bill has also marginally revised upwards some charges that were originally charged based on unrealistic market survey. The following are some of the charges that are proposed for alterations through the Finance Bill, 2015 as presented:
- i. The proposed deletion of Section headed "Informal Sector" aims to absolve hawkers, street vendors, small traders and service providers operating on the streets, verandah or temporary building from paying any charge. This is a timely reprieve for the many city traders who could not afford the original charges that were ranging between Kshs. 2000 and Kshs. 7000;
  - ii. The amendment to Land Rates aims to reduce the amounts payable for the Unimproved Site Value from 34% to 25%;
  - iii. The proposed amendments to the Parks and Recreation Services would have the net effect of harmonizing the amounts payable for political rallies using lawns across all the County Parks by increasing the charges from between Kshs 40,000-50,000 to Kshs. 100,000 and also reducing charges for lunch time preaching on lawns by Kshs. 1,000 across all the parks. Further the amendments target to ease the burden for those who wish to use the various parks for business development. The Bill proposes to reduce the charges for shooting of both gospel and secular music at City Park from Kshs. 7,000 to Kshs. 5,000;



- iv. In the Health Sector, the Bill proposes to reduce the charges for various services offered at Pumwani Maternity Hospital by averagely Kshs. 25 to make them more affordable as well as realign them to the notion of universal access to healthcare;
- v. In the Physical Planning Sector, there is proposed reduction in rental charges for shops in Embakasi from Kshs. 8,000 to Kshs. 4,000;
- vi. In the Trade Sector, the amendment aims to extend the deadline for instituting penalties for the late payment of rent from 5th to 10th of every month. In addition, the Bill has proposed to reduce the rent for Kahawa (TPS) markets by Kshs. 400 from Kshs. 1,200 to Kshs. 800;
- vii. The Bill has introduced charges under the Fire and Rescue Department aimed at ensuring that various institutions and operatives are licensed for fire and related services. This is an important input since there is need for businesses to take extra care in order to ensure that we at very least forearm ourselves on any eventualities;
- viii. There are proposed introduction of sin taxes under the Solid Waste Management. Introduction of charges such as noise pollution and classification of exhausters per truck are interventions whose effects cannot be overemphasized;
- ix. The Bill has proposed the introduction of various fees for the hire and utilization of various County equipment under the Highways Section. The fees range from Kshs. 200 to Kshs. 20,000 for a range of services. This is meant to ensure that the facilities at the disposal of the County Government do not remain idle but deliver returns during times of relaxed activity;
- x. The Bill has proposed to rename and re-categorize the charges that are payable by various communication companies. The broadening of the money transfer beyond MPESA would bring on board other avenues of money transfer not included in the earlier Act;
- xi. The Bill has proposed to introduce the charges for various aspects of Weights and Measures. Weights and Measures being a devolved function, the charges were inadvertently left out of the Principal Act;
- xii. The Bill has brought on board the charges for Betting Control, Co-operatives and Liquor Licensing which had earlier been gazetted but not yet approved by the County Assembly. The Charges are implemented as per the Fourth Schedule of the Constitution; and
- xiii. The Bill has proposed to re-categorize the charges that are payable by various private education institutions. This is aimed at ensuring that institutions only pay money based on the number of pupils that they actually enroll



## B. COMPLIANCE OF THE FINANCE BILL, 2015 TO THE PREVAILING LEGISLATION

d) **Mr. Speaker Sir**, the Budget Committee has said in this Assembly up to the nth time that the fidelity to the law is not an option for the County. The Committee has continued to reiterate that as a law making organ of the county government, the County Assembly must be in the frontline towards ensuring that all county entities remain within the confines of both the legal timelines and limitations.

e) **Mr. Speaker**, the Finance Bill has been presented over one month after the statutory deadline for its submission to the Assembly. Section 132 (2) of the Public Finance Management Act, 2012 provide that on the same day that the revenue raising measures are pronounced, the County Executive Committee Member (CECM) for Finance shall submit the Finance Bill to the Assembly. Members may recall that the pronouncement on the revenue raising measures was done in this very Assembly on 30<sup>th</sup> June 2015 with an undertaking from the CECM that the Bill would be forwarded to this Assembly without any undue delay. The Committee therefore failed to understand why it took the County Treasury too long to put the Bill together and present it to the Assembly for consideration.

f) **Mr. Speaker Sir**, Section 132 (3 ) of the PFM Act, 2012 provides that:

(3) Any recommendations made by the relevant committee or adopted by the county assembly on revenue matters shall-

- (a) *ensure that the total amount of revenue raised is consistent with the approved fiscal framework and the County Allocation of Revenue Act;*
- (b) *take into account the principles of equity, certainty and ease of collection;*
- (c) *consider the impact of the proposed changes on the composition of tax revenue with reference to direct and indirect taxes;*
- (d) *consider domestic, regional and international tax trends;*
- (e) *consider the impact on development, investment, employment and economic growth; and*
- (f) *take into account the taxation and other tariff agreements and obligations that Kenya has ratified, including taxation and tariff agreements under the East African Community Treaty*

g) **Mr. Speaker Sir**, whereas the County Treasury did not submit written submissions on how the proposed changes had complied with the quoted provisions of the law, the Treasury gave convincing oral explanations on all the above matters. The Committee

was informed that the Bill had taken great steps to ensure that tax measures are not only equitable but also easy to implement. The Committee indeed observed that the proposed tariffs have greatly complied with domestic, regional and international tax trends. From the foregoing therefore it is the observations of the Budget Committee that the document has tried as much as possible to comply with the law.

h) **Mr. Speaker Sir**, the hallmark of the Constitution of Kenya was the setting up of structures that give the public opportunities to steer the activities of elected representatives. One such structure is the provision of modalities of presenting petitions to parliaments and county assemblies. Sections 37 and 119 provide the following respectively:

- i. *Every person has the right, peaceably, unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities; and*
- ii. *Every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.*

The Budget Committee would therefore wish to appreciate and commend all those residents of this great City who took time and presented various memoranda to the Committee for interrogation, their input has indeed been integral and most informative to the resolutions of the Budget Committee. Detailed report on the submissions from the public and the committee's views on the proposed amendments have been attached.



### C. COMMITTEE'S RECOMMENDATIONS ON THE NAIROBI CITY COUNTY FINANCE BILL, 2015

- i) **Mr. Speaker Sir**, the Budget Committee having reviewed the Bill would be proposing the following amendments to the Finance Bill, 2015.

#### Schedule 1: City Inspectorate Services

That, the charge on "Treatment and Fleas" under City Inspectorate Services be revised as follows:

Treatment	Proposed Charge	Amended charge	Justification
Ticks and fleas	2,000	1,000	The charges are unnecessarily too high

#### Schedule 2: Fire and Rescue Department

That, the charges of the following items under the Fire and Rescue Services be revised as shown in the fourth Column:

Item Description	Unit Measure	of Proposed Charges	Amended Charges	Justification
<b>High Rise Buildings</b>				This is meant to ensure that the charges are only introduced for commercial buildings only
<i>Up to 4 floors</i>	Per Year	12,000	Nil	
<i>Up to 10 floors</i>	Per Year	14,000	Nil	
<i>10 floors and above</i>	Per Year	25,000	Nil	
<b>Commercial buildings</b>				
<i>Up to 4 floors</i>	Per Year	Nil	12,000	
<i>Up to 10 floors</i>	Per Year	Nil	14,000	
<i>10 floors and above</i>	Per Year	Nil	25,000	
<b>Petroleum Tankers</b>				
<i>Tankers</i>	Per Year	7,500	10,000	

				with petroleum tankers
Mongrel	Each	200	2,000	The charge as indicated is erroneous and needs to be corrected
Small Churches	Per year	4,500	2,000	The charges have been revised in order to correspond to the market prevailing realities
Medium Churches	Per year	12,000	4,000	
Large Churches	Per year	25,000	10,000	
Cafes	Per Cert	10,000	5,000	
Fish and Chips(no eating)	Per Cert	5,000	2,500	
Milk shop/bar	Per Cert	5,000	2,500	
Traditional beer	Per Cert	5,000	3,000	
Juice parlour	Per Cert	5,000	2,500	

**That,** the Unit of Measure for Special services other than firefighting (Opening door lock for tenant) be deleted and revised to "Per Instance"

**That,** the Unit of Measure for Special services other than firefighting (Removal of bees) be deleted and revised to "Per Instance"

### Schedule 3: Land Rates

**That,** the charges for the following items under Land Rates be revised as shown in the third column:

Private and Public Valuation Plots	Proposed Charge	Amended charge	Justification
Residential Plots	25%	34%	The charges are okay since they would still be based on the old valuation roll. Further the County recently won a case which was challenging the new rates
Commercial Plots	25%	34%	
Agricultural Plots	25%	34%	

### Schedule 4: Informal Sector



**That**, the schedule be amended by inserting the expression “in Part 2.3” immediately after the expression “informal sector”

### **Schedule 11: Food Hygiene License**

**That**, the charges for the following items under the Food Hygiene License be revised as shown in the fourth column:

- i. The first sub-heading should be renamed from Hotel to Restaurant;

<b>Item Description</b>	<b>Unit Measure</b>	<b>of Proposed Charges</b>	<b>Amended Charges</b>	<b>Justification</b>	
Outside catering services	Per cert	5,000	7,000	The charges have been revised in order to correspond to the market prevailing realities	
Eating House	Per cert	10,000	7,000		
Food Packaging	Per cert	5,000	7,000		
Butchery	Per cert	5,000	7,000		
Dairy	Per cert	10,000	7,000		
Bakery	Per cert	10,000	7,000		
Bar & Restaurant	Per cert	5,000	7,000		
Small Brewer (Below 5,000 Ltrs)	Per cert	5,000	7,000		The amendments were agreed upon following request by the County Executive Committee Member for Finance to increase the charges further
Stockists	Per cert	5,000	7,000		
Poultry Shop	Per cert	5,000	7,000		
Hostel	Per cert	5,000	7,000		
Guest house	Per cert	5,000	7,000		
Traditional beer	Per cert	5,000	7,000		
Soda distributor	Per cert	5,000	7,000		
Juice parlor	Per cert	5,000	2,500		
Milk shop/bar	Per cert	5,000	2,500		
Fish and chips (no eating)	Per cert	5,000	2,500		
Supermarket	Per Cert	10,000	20,000	Items have been clearly defined and charges revised to avoid confusion	
Hypermarket	Per cert	10,000	60,000		
Snack bar	Per cert	5,000	7,000		
Fishmonger	Per cert	5,000	7,000		
Commercial kitchen	Per cert	5,000	7,000		
General Retail liquor	Per cert	5,000	7,000		
Wholesale Liquor	Per cert	5,000	7,000		

Hotel Liquor	Per cert	10,000	15,000	New Items which had been inadvertently left out of the Finance Bill.
Off license( supermarket)	Per cert	5,000	7,000	
Floormill(Factory)	Per cert	10,000	50,000	
Posho mill	Per cert		3,000	
Food manufacturing	Per cert	10,000	50,000	
Large slaughter	Per cert	5,000	50,000	
Small slaughter	Per cert	5,000	7,000	
Food kiosk	Per cert	5,000	2,000	
Mobile food kiosk	Per cert	New	10,000	
Catering type trucks	Per cert	New	10,000	
Mobile cookers and	Per cert	New	2,000	
Frozen food trucks	Per cert	New	10,000	
Concession	Per cert	New	5,000	
Outdoor food and	Per cert	New	2,000	

### Schedule 13: City Mortuary

That, the charges for the following items under the City Mortuary be revised as shown in the third column:

Item Description	Proposed Charges	Amended Charges	Justification
Documentation			The increase is not warranted
Burial Permit	1,000	5,00	
Burial search fee	1,000	500	
A copy of certified death register	1,000	500	
Death after 5 years	1,000	500	

### Schedule 15: Langata Cemetery- Area – Permanent Graves

That, the charges for the following items under the Langata Cemetery be revised as shown in the third column:

Item Description	Proposed Charges	Amended Charges	Justification
<b>Temporary Graves</b>			
People Dying within Nairobi Area			This is aimed at making the temporary graves affordable to the common wananchi
Adults	10,000	7,000	



Children	5,000	4,000	who may not afford the new rates  Reducing the amounts would increase the demand for cremation which is culturally un-African.
<b>Cremation Charges</b>			
Adults	9,000	13,500	
Children	6,000	9,000	
Infants	4,000	6,000	
Shipping Cremated Materials	7,500	11,250	
Cremation certificate and ashes collection	600	900	
Scattering of ashes	1,000	1,500	
Medical reference for clearing certificate	600	900	
Pathologist carrying out post-mortem	1,500	2,000	
Attendants	400	600	

### Schedule 22: Weights and Measures

- a) **That**, the Schedule be amended by deleting the expression “sections immediately after the section titled small trade services” and replacing thereof with the following new expression “Section 9.3 immediately after the section titled Rental Markets- Monthly Rent Per Stall”
- b) **That**, the charges for the following items under the Weights and Measures be revised as shown:

Particulars of Equipment	INITIAL VERIFICATION	RE-VERIFICATION
<b>1. Weights</b>		
<b>For each weight-</b>		
5 Kg and under.....	100	40
10 Kg.....	160	80
20 Kg.....	200	100
Exceeding 20 Kg.....	400	200

<b>2. Measures of Length</b> <b>A) Unsubdivided.....</b> <b>b) Subdivided (including the whole length)</b> 1 Meter and under..... Exceeding 1 Meter but not exceeding 5 Meters.. 10 Meters..... 20 Meters..... 30 Meters..... Exceeding 30 Meters.....	400  100 200 200 600 800 1,000	200  60 100 200 300 400 800
<b>3. Measures for capacity(other than bulk measures):</b> <b>For each measure</b> <b>a) Unsubdivided</b> 2 Litres and under..... Exceeding 2 Litres but not exceeding 20 Litres..... Exceeding 20 Litres.....	100  200 400	40  100 200
<b>6. Spirit measuring instruments</b> For each instrument.....	400	200
<b>7. Liquid measuring instruments</b> <b>a) Dispensing pumps(each)-</b> (i) electronic..... (ii) non-electric..... <b>b) Bulk meters (each)-</b> (i) electronic..... (ii) non-electric.....	2000 1600  30,000 20,000	1,200 1,000  15,000 10,000
<b>8. Leather measuring instruments and fabric measuring instruments</b> For each instrument.....	2,000	1,600
<b>9. Egg grading machines</b> For each machine- Type 'A' Machine..... Type 'B' Machine.....	2,000 3,000	1,000 1,500



<b>10. Non automatic weighing instruments intended for counter use</b>		150
	200	200
For each instrument according to capacity-	400	400
a) Non-self-indicating	1000	
5 Kg and under.....		200
Exceeding 5 Kg but not exceeding 15 Kg...	400	400
Exceeding 15 Kg.....	800	800
b) Semi-self-indicating instruments-	1200	
5 Kg and under.....		
Exceeding 5 Kg but not exceeding 15 Kg...		400
Exceeding 15 Kg.....	600	
c) Self-indicating instruments		600
I. Electronic-	1000	1200
5 Kg and under.....	1600	
Exceeding 5 Kg but not exceeding 15 Kg.....	400	200
Exceeding 15 Kg.....		400
(ii) Non-electronic-	800	800
5 Kg and under.....	1200	
Exceeding 5 Kg but not exceeding 15 Kg.....		
Exceeding 15 Kg.....		
(2) All other non-automated weighing instruments:		
For each instrument according to its capacity-		
a) Electronic instruments-		
50 Kg and under.....		800
Exceeding 50 Kg but not exceeding 500 Kgs.....	1200	
Exceeding 500 Kgs.....	2000	1200
Exceeding 500 Kg but not exceeding 1 Tone.....		2000
Exceeding 1 Tone but not exceeding 5 tones.....	4000	
Exceeding 5 tones but not exceeding 20 Tones.....	6000	5000
	10000	8000
Exceeding 20 Tones.		

<p>The fee payable shall be the same as that for a 20 ton capacity instrument plus an additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity.</p>		
<p>b) Non- electronic instruments</p>		
<p>50 Kg and under.....</p>		
<p>Exceeding 50 Kg but not exceeding</p>	1000	600
<p>500 Kgs.....</p>		
<p>Exceeding 500 Kg but not exceeding</p>	1600	1000
<p>1 Tone.....</p>		
<p>Exceeding 1 Tone but not exceeding</p>	3000	2000
<p>5 tones.....</p>		
<p>Exceeding 5 tones but not exceeding</p>	4000	3000
<p>20 Tones.....</p>		
<p>Exceeding 20 Tones-</p>	8000	6000
<p>The fee payable shall be the same as that for a 20 Ton capacity instrument plus an additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity</p>		
<p><b>11. Automatic weighing instruments</b></p>		
<p>For each weighing unit according to its capacity-</p>		
<p>20 Kg and under.....</p>		
<p>Exceeding 20 Kg but not exceeding</p>	1200	600
<p>50 Kg.....</p>		
<p>Exceeding 50 Kg but not exceeding</p>	1600	1000
<p>200 Kg.....</p>		
<p>Exceeding 200 Kg but not exceeding</p>	2000	1500
<p>1 Tone.....</p>		
<p>Exceeding 1 Tone but not exceeding</p>	3000	2000
<p>5 Tones.....</p>		
<p>Exceeding 5 Tones but not exceeding</p>	4000	3000
<p>20 Tones.....</p>		
<p>Exceeding 20 Tones..... the fee payable shall be the same as that of a 20 Ton capacity instrument plus an additional</p>	8000	5000



charge of KShs.400 for every tone (or part thereof) in excess of such capacity		
<b>12. Belt Weighers</b> For each instrument	12,000	8,000
<b>PART 3: FEES FOR ADJUSTING WEIGHTS AND MEASURES AND OTHER MISCELLANEOUS CHARGES</b>		
a) Test Weights/ Roller Weights Exceeding 2 kg but not exceeding 20 kg..... Exceeding 20 kg but not exceeding 50 kg.... Exceeding 50 kg but not exceeding 500 kg.. Exceeding 500 kg.....	400 600 2,000 5,000	
<b>PART 6: WEIGHING SERVICES FEES</b>		
The charges payable as weighing fees for quantity determination where County Weighbridges and other weighing equipment are used shall be as follows;-		
Quantity determined (Gross weight)	Amount Kshs.	

50kg and under.....	
Exceeding 50kg but not exceeding 100kg.....	
Exceeding 100kg but not exceeding 200kg.....	10/=
	20/=
Exceeding 200kg but not exceeding 500kg.....	50/=
Exceeding 500kg but not exceeding 1,000kg.....	100/=
	150/=
Exceeding 1,000kg but not exceeding 5,000kg.....	200/=
Exceeding 5,000kg but not exceeding 10,000kg.....	300/=
Exceeding 10,000kg but not exceeding 20,000kg.....	400/=
Exceeding 20,000kg but not exceeding 30,000kg....	500/=
	600/=
Exceeding 30,000kg but not exceeding 40,000kg.....	700/=
Exceeding 40,000kg but not exceeding 50,000kg.....	
Exceeding 50,000kg an addition fee of 100/= shall be payable for every additional 10,000kg or portion thereof.	
ii. The charges payable as daily fees for use of County Weighing Equipment at designated places within the County markets shall be as follows;-	
Weighing Equipment Capacity Range	Daily fee per user
30kg and bellow.....	30/=
	50/=
Exceeding 30kg but not exceeding 150kg	100/=
	150/=
Exceeding 150kg but not exceeding 300kg	200/=
Exceeding 300kg but not exceeding 500kg	
Exceeding 500kg but not exceeding 1,000kg	
<b>Determination of Tare Weight of Vehicles:</b>	
The charges payable as the fees for determination tare weight of vessels and vehicles in use shall be as follows;-	



<b>Commercial in use for vessels/vehicles</b>	
<b>Type of vehicles</b>	
Hand carts.....	200
Pick up vehicles.....	500
Trucks.....	1000
	2000
Semi-Trailer trucks.....	300
Trailer trucks.....	
<b>Tare weight for new vehicles</b>	
The charges payable as fees for determination of Tare weight for new vehicles shall be as follows;-	
<b>Type</b>	
	1000
Cars up to 5 seats.....	1500
	2000
Cars up to 7 seats.....	3500
Vans up to 14 seats.....	3000

#### **Schedule 22: Liquor Licensing Proposed Fees**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Fees for Repairers License "Liquor Licensing"
- b) **That**, the following paragraph for Schedule 22A be inserted immediately after the title Liquor Licensing "By inserting the following new Section 9.4 immediately after the section titled Weights and Measures"

#### **Schedule 22: Betting Control and Licensing Board**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Liquor Licensing Proposed Fees "Betting, Gaming and Lotteries Charges"
- b) **That**, the following paragraph for Schedule 22B be inserted immediately after the title Betting, Gaming and Lotteries Charges "By inserting the following new Section 9.5 immediately after the section titled Liquor Licensing"

**Schedule 22: Department of Co-operatives**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Betting, Gaming and Lotteries Charges "Department of Co-operatives"
- b) **That**, the following paragraph for Schedule 22C be inserted immediately after the title Department of Co-operatives "By inserting the following new Section 9.6 immediately after the section titled Betting, Gaming and Lotteries Charges"

**Schedule 23: Rental Markets**

**That**, the charges for the following items under Rental Markets- Monthly rent per stall be revised as shown:

Item Description	Proposed Charge	Amended Charge	Justification
<b>Kahawa West TPS</b>			The charges have been revised to make them affordable to the traders
Butcheries	800	600	
Hotels	800	600	
Workshops	800	600	

**New Schedule 26 A: General Traders Shops and Retail Services**

In the Section headed General Traders Shops and Retail Services in Part 2.2 by deleting and revising the charges as set out in the third column:

Item Description	Charges	Amended Charge	Justification
Hyper- markets: Over 100employees/over 5001sq.m	120,000	200,000	Charges have not been revised in a while and therefore reviewed in line with change of cost of service provision

**New Schedule 27A: Industrial Plants, Factories, Workshop, Contractors**

In the Section headed Industrial Plants, Factories, Workshop, Contractors in Part 2.8 by deleting and revising the charges as set out in the third column:

Item Description	Charges	Amended Charge	Justification
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Large industrial plant with over 75 employees & or premises over 2500 sq.m	150,000	200,000	Charges in line with the changing cost of living/ providing services
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### **New Schedule 28A: Outdoor Advertisement and Signages**

In the Section headed Outdoor Advertisement and Signages in Part 5.6 by deleting and revising the charges as set out in the third column:

Item Description	Charge	Amended Charges	Justification
Billboards/Wall wraps			The Budget Committee agrees with the players that there is need to make the County conducive for doing business
Application fee	14,000	10,000	
Additional square meter of Billboard of sizes 12 x 6m per Billboard structure	5,733	3,000	

### **New Schedule 29A: Housing**

In the Section headed Housing in Part 5.7 by deleting and revising the deadline as set out in the deadline column:

Item Description	Deadline	Amended Deadline	Justification
Penalty for Late Payment	After 5 <sup>th</sup>	After 15 <sup>th</sup>	There are incessant delays in the salaries of County staff who are the majority tenants in the County houses

## D. COMMITTEE'S PROPOSED AMENDMENTS TO THE NAIROBI CITY COUNTY FINANCE BILL, 2015

NOTICE is given that the Hon. Michael O. Okumu, the Chairperson of the Nairobi City County Assembly Budget and Appropriations Committee, intends to move the following amendments on the Nairobi City County Finance Bill (Nairobi City County Bill No. 8, 2015) –

### Schedule 1: City Inspectorate Services

That, the charge on "Treatment and Fleas" under City Inspectorate Services be revised as follows:

Treatment	Charge
Ticks and fleas	1,000

### Schedule 2: Fire and Rescue Department

That, the charges of the following items under the Fire and Rescue Services be revised as shown in the charges column:

Item Description	Unit of Measure	Charges
<b>High Rise Buildings</b>		
<i>Up to 4 floors</i>	Per Year	Nil
<i>Up to 10 floors</i>	Per Year	Nil
<i>10 floors and above</i>	Per Year	Nil
<b>Commercial buildings</b>		
<i>Up to 4 floors</i>	Per Year	12,000
<i>Up to 10 floors</i>	Per Year	14,000
<i>10 floors and above</i>	Per Year	25,000
<b>Petroleum Tankers</b>		
<i>Tankers</i>	Per Year	10,000
Mongrel	Each	2,000
Small Churches	Per year	2,000
Medium Churches	Per year	4,000
Large Churches	Per year	10,000
Cafes	Per Cert	5,000



Fish and Chips(no eating)	Per Cert	2,500
Milk shop/bar	Per Cert	2,500
Traditional beer	Per Cert	3,000
Juice parlour	Per Cert	2,500

**That**, the Unit of Measure for Special services other than firefighting (Opening door lock for tenant) be deleted and revised to "Per Instance"

**That**, the Unit of Measure for Special services other than firefighting (Removal of bees) be deleted and revised to "Per Instance"

### **Schedule 3: Land Rates**

**That**, the charges for the following items under Land Rates be revised as shown in the charges column:

<b>Private and Public Valuation Plots</b>	<b>Amended charge</b>
Residential Plots	34%
Commercial Plots	34%
Agricultural Plots	34%

### **Schedule 4: Informal Sector**

**That**, the schedule be amended by inserting the expression "in Part 2.3" immediately after the expression "informal sector"

### **Schedule 11: Food Hygiene License**

**That**, the charges for the following items under the Food Hygiene License be revised as shown in the charges column:

- ii. The first sub-heading should be renamed from Hotel to Restaurant;

<b>Item Description</b>	<b>Unit of Measure</b>	<b>Charges</b>
Outside catering services	Per cert	7,000
Eating House	Per cert	7,000
Food Packaging	Per cert	7,000
Butchery	Per cert	7,000
Dairy	Per cert	7,000
Bakery	Per cert	7,000

Bar & Restaurant	Per cert	7,000
Small Brewer (Below 5,000 Ltrs)	Per cert	7,000
Stockists	Per cert	7,000
Poultry Shop	Per cert	7,000
Hostel	Per cert	7,000
Guest house	Per cert	7,000
Traditional beer	Per cert	7,000
Soda distributor	Per cert	7,000
Juice parlor	Per cert	2,500
Milk shop/bar	Per cert	2,500
Fish and chips (no eating)	Per cert	2,500
Supermarket	Per Cert	20,000
Hypermarket	Per cert	60,000
Snack bar	Per cert	7,000
Fishmonger	Per cert	7,000
Commercial kitchen	Per cert	7,000
General Retail liquor	Per cert	7,000
Wholesale Liquor	Per cert	7,000
Hotel Liquor	Per cert	15,000
Off license( supermarket)	Per cert	7,000
Floormill(Factory)	Per cert	50,000
Posho mill	Per cert	3,000
Food manufacturing plant	Per cert	50,000
Large slaughter house(100	Per cert	50,000
Small slaughter	Per cert	7,000
Food kiosk	Per cert	2,000
Mobile food kiosk	Per cert	10,000
Catering type trucks	Per cert	10,000
Mobile cookers and BBQ	Per cert	2,000
Frozen food trucks	Per cert	10,000
Concession	Per cert	5,000
Outdoor food and drinks	Per cert	2,000

### Schedule 13: City Mortuary

That, the charges for the following items under the City Mortuary be revised as shown in the charges column:



Item Description	Charges
Documentation	
Burial Permit	5,00
Burial search fee	500
A copy of certified death register	500
Death after 5 years	500

#### Schedule 15: Langata Cemetery- Area – Permanent Graves

That, the charges for the following items under the Langata Cemetery be revised as shown in the charges column:

Item Description	Charges
<b>Temporary Graves</b>	
People Dying within Nairobi Area	
Adults	7,000
Children	4,000
<b>Cremation Charges</b>	
Adults	13,500
Children	9,000
Infants	6,000
Shipping Cremated Materials	11,250
Cremation certificate and ashes collection	900
Scattering of ashes	1,500
Medical reference for clearing certificate	900
Pathologist carrying out post-mortem	2,000
Attendants	600

#### Schedule 22: Weights and Measures

- c) That, the Schedule be amended by deleting the expression “sections immediately after the section titled small trade services” and replacing thereof with the following new expression “Section 9.3 immediately after the section titled Rental Markets- Monthly Rent Per Stall”

d) That, the charges for the following items under the Weights and Measures be revised as shown:

Particulars of Equipment	INITIAL VERIFICATION	RE-VERIFICATION
<b>1. Weights</b> <b>For each weight-</b> 5 Kg and under..... 10 Kg..... 20 Kg..... Exceeding 20 Kg.....	100 160 200 400	40 80 100 200
<b>2. Measures of Length</b> <b>B) Unsubdivided.....</b> <b>b) Subdivided (including the whole length)</b> 1 Meter and under..... Exceeding 1 Meter but not exceeding 5 Meters.. 10 Meters..... 20 Meters..... 30 Meters..... Exceeding 30 Meters.....	400 100 200 200 600 800 1,000	200 60 100 200 300 400 800
<b>3. Measures for capacity (other than bulk measures):</b> <b>For each measure</b> <b>b) Unsubdivided</b> 2 Litres and under..... Exceeding 2 Litres but not exceeding 20 Litres..... Exceeding 20 Litres.....	100 200 400	40 100 200
<b>6. Spirit measuring instruments</b> For each instrument.....	400	200
<b>7. Liquid measuring instruments</b> <b>c) Dispensing pumps (each)-</b> (iii) electronic..... (ii) non-electric..... <b>d) Bulk meters (each)-</b>	2000 1600	1,200 1,000



(iii) electronic.....	30,000	15,000
(iv) non-electric.....	20,000	10,000
<b>8. Leather measuring instruments and fabric measuring instruments</b> For each instrument.....	2,000	1,600
<b>12. Egg grading machines</b> For each machine- Type 'A' Machine..... Type 'B' Machine.....	2,000 3,000	1,000 1,500
<b>13. Non automatic weighing instruments intended for counter use</b> For each instrument according to capacity- d) Non-self-indicating 5 Kg and under..... Exceeding 5 Kg but not exceeding 15 Kg... Exceeding 15 Kg..... e) Semi-self-indicating instruments- 5 Kg and under..... Exceeding 5 Kg but not exceeding 15 Kg... Exceeding 15 Kg..... f) Self-indicating instruments II. Electronic- 5 Kg and under..... Exceeding 5 Kg but not exceeding 15 Kg..... Exceeding 15 Kg..... (iv) Non-electronic- 5 Kg and under..... Exceeding 5 Kg but not exceeding 15 Kg..... Exceeding 15 Kg..... (s) All other non-automated weighing instruments: For each instrument according to its capacity- c) Electronic instruments-	150 200 400 1000 400 800 1200 600 600 1000 1600 400 400 800 1200	200 400 200 400 800 400 600 1200 200 400 800

50 Kg and under.....	1200	800
Exceeding 50 Kg but not exceeding 500 Kgs.....	2000	1200
Exceeding 500 Kg but not exceeding 1 Tone.....	4000	2000
Exceeding 1 Tone but not exceeding 5 tones.....	6000	5000
Exceeding 5 tones but not exceeding 20 Tones.....	10000	8000
<p>Exceeding 20 Tones. The fee payable shall be the same as that for a 20 ton capacity instrument plus an additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity.</p>		
d) Non- electronic instruments		
50 Kg and under.....		
Exceeding 50 Kg but not exceeding 500 Kgs.....	1000	600
Exceeding 500 Kg but not exceeding 1 Tone.....	1600	1000
Exceeding 1 Tone but not exceeding 5 tones.....	3000	2000
Exceeding 5 tones but not exceeding 20 Tones.....	4000	3000
Exceeding 20 Tones-	8000	6000
<p>The fee payable shall be the same as that for a 20 Ton capacity instrument plus an additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity</p>		
<b>14. Automatic weighing instruments</b>		
For each weighing unit according to its capacity-		
20 Kg and under.....	1200	
Exceeding 20 Kg but not exceeding 50 Kg.....		600



Exceeding 50 Kg but not exceeding 200 Kg.....	1600	1000
Exceeding 200 Kg but not exceeding 1 Tone.....	2000	1500
Exceeding 1 Tone but not exceeding 5 Tones.....	3000	2000
Exceeding 5 Tones but not exceeding 20 Tones.....	4000	3000
Exceeding 20 Tones..... the fee payable shall be the same as that of a 20 Ton capacity instrument plus an additional charge of KShs.400 for every tone (or part thereof) in excess of such capacity	8000	5000
<b>13. Belt Weighers</b> For each instrument	12,000	8,000
<b>PART 3: FEES FOR ADJUSTING WEIGHTS AND MEASURES AND OTHER MISCELLANEOUS CHARGES</b>		
b) Test Weights/ Roller Weights Exceeding 2 kg but not exceeding 20 kg..... Exceeding 20 kg but not exceeding 50 kg.... Exceeding 50 kg but not exceeding 500 kg.. Exceeding 500 kg.....	400 600 2,000 5,000	
<b>PART 6: WEIGHING SERVICES FEES</b>		
The charges payable as weighing fees for quantity determination where County Weighbridges and other weighing equipment are used shall be as follows;-		

Quantity determined (Gross weight)	Amount Kshs.
50kg and under.....	
Exceeding 50kg but not exceeding 100kg.....	10/=
Exceeding 100kg but not exceeding 200kg.....	20/=
Exceeding 200kg but not exceeding 500kg.....	50/=
Exceeding 500kg but not exceeding 1,000kg.....	100/=
Exceeding 1,000kg but not exceeding 5,000kg.....	150/=
Exceeding 5,000kg but not exceeding 10,000kg.....	200/=
Exceeding 10,000kg but not exceeding 20,000kg.....	300/=
Exceeding 20,000kg but not exceeding 30,000kg....	400/=
Exceeding 30,000kg but not exceeding 40,000kg.....	500/=
Exceeding 40,000kg but not exceeding 50,000kg.....	600/=
Exceeding 50,000kg an addition fee of 100/= shall be payable for every additional 10,000kg or portion thereof.	700/=
ii. The charges payable as daily fees for use of County Weighing Equipment at designated places within the County markets shall be as follows:-	
Weighing Equipment Capacity Range	Daily fee per user
30kg and bellow.....	30/=
Exceeding 30kg but not exceeding 150kg	50/=
Exceeding 150kg but not exceeding 300kg	100/=
Exceeding 300kg but not exceeding 500kg	150/=
Exceeding 500kg but not exceeding 1,000kg	200/=
<b>Determination of Tare Weight of Vehicles:</b> The charges payable as the fees for determination tare weight of vessels and vehicles in use shall be as follows:-	



<b>Commercial in use for vessels/vehicles</b>	
Type of vehicles	
Hand carts.....	200
Pick up vehicles.....	500
Trucks.....	1000
	2000
Semi-Trailer trucks.....	300
Trailer trucks.....	
<b>Tare weight for new vehicles</b>	
The charges payable as fees for determination of Tare weight for new vehicles shall be as follows;-	
Type	
	1000
Cars up to 5 seats.....	1500
	2000
Cars up to 7 seats.....	3500
Vans up to 14 seats.....	3000

#### **Schedule 22: Liquor Licensing Proposed Fees**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Fees for Repairers License "Liquor Licensing"
- b) **That**, the following paragraph for Schedule 22A be inserted immediately after the title Liquor Licensing "By inserting the following new Section 9.4 immediately after the section titled Weights and Measures"

#### **Schedule 22: Betting Control and Licensing Board**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Liquor Licensing Proposed Fees "Betting, Gaming and Lotteries Charges"
- b) **That**, the following paragraph for Schedule 22B be inserted immediately after the title Betting, Gaming and Lotteries Charges "By inserting the following new Section 9.5 immediately after the section titled Liquor Licensing"

**Schedule 22: Department of Co-operatives**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Betting, Gaming and Lotteries Charges "Department of Co-operatives"
- b) **That**, the following paragraph for Schedule 22C be inserted immediately after the title Department of Co-operatives "By inserting the following new Section 9.6 immediately after the section titled Betting, Gaming and Lotteries Charges"

**Schedule 23: Rental Markets**

**That**, the charges for the following items under Rental Markets- Monthly rent per stall be revised as shown:

Item Description	Charge
<b>Kahawa West TPS</b>	
Butcheries	600
Hotels	600
Workshops	600

**New Schedule 26 A: General Traders Shops and Retail Services**

In the Section headed General Traders Shops and Retail Services in Part 2.2 by deleting and revising the charges as set out in the charges column:

Item Description	Charge
Hyper- markets: Over 100employees/over 5001sq.m	200,000

**New Schedule 27A: Industrial Plants, Factories, Workshop, Contractors**

In the Section headed Industrial Plants, Factories, Workshop, Contractors in Part 2.8 by deleting and revising the charges as set out in the charges column:

Item Description	Charge
Large industrial plant with over 75 employees & or premises over 2500 sq.m	200,000



**New Schedule 28A: Outdoor Advertisement and Signages**

In the Section headed Outdoor Advertisement and Signages in Part 5.6 by deleting and revising the charges as set out in the charges column:

Item Description	Charges
Billboards/Wall wraps	
<i>Application fee</i>	10,000
<i>Additional square meter of Billboard of sizes 12 × 6m per Billboard structure</i>	3,000

**New Schedule 29A: Housing**

In the Section headed Housing in Part 5.7 by deleting and revising the deadline as set out in the deadline column:

Item Description	Deadline
Penalty for Late Payment	After 15 <sup>th</sup>

