



REPUBLIC OF KENYA
NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – (FIFTH SESSION)
ORDERS OF THE DAY
TUESDAY, AUGUST 3, 2021 AT 2.30 P.M.

PRAYERS

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

8. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS

Subject: Adoption of Report

THAT, this Assembly adopts **THE 34TH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON THE CONSIDERATION OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE NAIROBI CITY COUNTY GOVERNMENT AND COOPERATIVE BANK OF KENYA LIMITED ON THE PAYROLL SUPPORT SERVICES**, laid on the Table of the Assembly on Tuesday, 3rd August, 2021.

9. *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” thereof.

LONG TITLE

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

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: -

- a. **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on a **Report of a Committee**, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, 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 (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- b. **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
Thursday, 5th 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 Thursday, 5th 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)

B. MOTION – HON. MILLICENT JAGERO, MCA

Subject: Strategic Water Points for Residents

THAT, aware that Article 43 (1) (d) of the Constitution of Kenya, 2010 states that every person has a right to clean and safe water in adequate quantities; further aware that paragraph 11 (b) of the Part Two of the Fourth Schedule to the Constitution stipulates that the County Government is to provide County public works and services including water and sanitation services; concerned that most parts of the County especially informal settlements lack clean, safe, sufficient and affordable water, which has led to introduction of untreated water supply businesses within the County; acknowledging that the Nairobi City Water and Sewerage Company has continuously rehabilitated various sources of its water to ensure clean and adequate water supply; noting that the increasing population in the County implies increasing demand for basic amenities such as water supply, this Assembly urges the County Executive in conjunction with the Nairobi Metropolitan Services to establish strategic water points across the County to enable residents to have access to adequate, clean and safe water.

C. MOTION – ADJOURNMENT OF THE ASSEMBLY IN ACCORDANCE WITH THE CALENDAR OF THE COUNTY ASSEMBLY

Subject: Adjournment of the Assembly (Regular Sessions)

The Speaker will today call upon the Leader of the Majority Party to move a motion for adjournment of the Assembly to a day other than the next normal Sitting Day, in accordance with the Calendar of the Assembly (Regular Sessions)

(Thereafter, the Assembly to adjourn without question put)

THAT, pursuant to the provisions of Standing Orders 28 and 29 (3), this Assembly adjourns until **Tuesday, 7th September, 2021 at 9.30a.m.** in accordance with the Calendar of the County Assembly (Regular Sessions).

