



REPUBLIC OF KENYA
NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – (SIXTH SESSION)
ORDERS OF THE DAY
TUESDAY, FEBRUARY 15, 2022 AT 9.30 A.M.
ORDER OF BUSINESS

PRAYERS

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

**8. *BILL – THE NAIROBI CITY COUNTY FINANCE BILL, 2021
(ASSEMBLY BILL NO. 10 OF 2021)**

Subject: Second Reading

The Nairobi City County Finance Bill, 2021 (Assembly Bill No. 10 of 2021)

(Chairman, Select Committee on County Finance, Budget & Appropriations)

(Second Reading)

**9. *COMMITTEE OF THE WHOLE ASSEMBLY – TO CONSIDER THE
NAIROBI CITY COUNTY FINANCE BILL, 2021 (ASSEMBLY BILL NO.
10 OF 2021)**

Subject: Committee of the Whole Assembly

The Nairobi City County Finance Bill, 2021 (Assembly Bill No. 10 of 2021)

(Committee of the Whole Assembly)

(Chairperson, Select Committee on County Finance, Budget & Appropriations)

10. *MOTION – HON. PAUL KADOS, MCA**Subject: *Mechanisms to facilitate payment of rates for disputed lands***

THAT, AWARE that many parcels of land within Nairobi county do not have titles or other final ownership documents; **DEEPLY CONCERNED** that many landowners only have letters of allotment, certificates of ownership, share certificates, other similar provisional documents; **NOTING** that many pieces of land have ownership disputes, some pending in the courts and other dispute resolution tribunals and institutions which take years to be resolved; **RECOGNIZING** that many of such parcels of land have already been developed with the owners of such land willing to pay land rates and indeed the law requires rates to be paid by whoever is claiming ownership of any such property; **APPRECIATING** that the County through the Deed of Transfer of Functions engaged the services of the Kenya Revenue Authority (KRA) to collect rates, by which the KRA has required ownership and identity documents and KRA Pin Certificates before permitting payment of rates; **REGRETTING** that the demand for these documents has seen many land holders remain unable to provide the documents required by KRA hence are barred from paying rates, even though these parties remain willing to pay rates, notably during the penalty waiver arrangements; **REALIZING** that the County is losing revenue running into hundreds of millions of shillings due to the aforesaid failure to pay rates owing to the demands by KRA; **NOW THEREFORE**, this Assembly **URGES** the County Executive and the NMS to put in place measures to ensure rates are collected from all land holders including where only provisional ownership documents are available, including where there are ownership disputes pending in court or other tribunal/institutions.

NOTICES

I. **NOTICE** is given that the Chairperson of the Select Committee on County Finance Budget and Appropriations intends to move the following amendments to the Nairobi City County Finance Bill, 2021, at the Committee Stage: -

THAT, Clause 1 be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

THAT, the Long Title be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

1) **THAT**, the Bill be amended by deleting the expressions “Finance Act, 2013” or “Finance Act, 2015” whenever they appear and replacing thereof with “Revenue Act, 2015”

2) **THAT**, the Schedule of the Nairobi City County Transport Act, 2020 be amended by inserting and revising the charges with respect to the items contained therein while taking into account the following amendments for the respective items contained in Clause 3 of the Bill and the additional amendments to the Schedule in the Act:

Item Description	Unit of Measure	Proposed Charge	Amended Charge	
Online Application taxis	Per Month	-	All online taxi applications to deduct Kshs. 1,000 parking fee at source, for all vehicles on their platform provided that a vehicle shall not pay parking fees in more than one platform	
Private Vehicles	1 month	7,000	4,000	
	3 months	18,000	10,000	
	6 months	32,000	20,000	
	12 months	55,000	35,000	
On- street parking	Per day Saloon Car	ZONE I	400	200
		ZONE II	300	200
		ZONE III	200	100
		ZONE IV	100	50

Zone III-All *business* areas not in Zone I, II and IV

Using of Parking Slots for Offloading Only

Pick Up (3-5 tons)	Per day	300	300
Lorry (over 5 tons)	Per day	500	500

Item Description	Unit of Measure	Proposed Charge	Amended Charge
Seasonal tickets (stickers) paid through registered SACCO (discounts) – vehicles terminating within the Central Business District/ PSV Terminals			
Seasonal tickets for PSVs operating Estate/ Estate Terminal to Estate/ Estate Terminal			
Matatus (1-13 seaters)	Month		500
	Half Year		2,800
	Annual		5,000
Minibuses (14-42 Seaters)	Per Month		800
	Half Year		4,000
	Annual		7,500
Buses (43 and Above)	Per Month		1,000
	Half Year		5,000
	Annual		9,000
Service Charge for Use of PSV Terminals			
Bodaboda	Per entry		20
Taxis/ Saloon Cars	Per entry		50
PSV (1-13 seater)	Per entry		50
PSV (14-42 seater)	Per entry		100
PSV (43 and above seater)	Per entry		200
TOWING			
Towing charges	Once	All vehicles	1,000

3) That Schedule 14 of the Nairobi City County Revenue Act, 2015 be amended by inserting and revising the charges with respect to the items contained therein while taking into account the following amendments for the respective items contained in Clause 4: -

Market Services				
Item Description	Unit of Measure	Category	Proposed Charge	Amended Charge
Offloading fee (all items)				
Potatoes	Per Kg	50Kg Bag	50	20
Macadamia	per ton		1,000	400
French Beans	per ton		1,000	400
Flowers	per lorry		3,000	1,000

Market Services					
Item Description	Unit of Measure	Category	Current Charges	Proposed Charge	Amended Charge
Avocado	per pro box		NEW	800	400
	per pick up		NEW	1,500	500
Tomatoes	Large per box	101-200	NEW	200	80
	Small per box	1-50kg	NEW	50	20
	Medium per box	51-100kg	NEW	100	50
Fish (imported)	per box		NEW	30	100
Thorn melon	per box		NEW	50	20
MARKET STALLS/FOOD COURT/COURT YARD					
KARANDINI MARKET	Per square feet				
KITCHEN					

Ground Floor	“		NEW	60	NIL
First Floor	“		NEW	54	NIL
OPEN FOOD COURT					
Court yard	“		NEW	30	NIL
Ground Floor	“		NEW	45	NIL
First Floor	“		NEW	40	NIL
STALLS					
Ground Floor	“		NEW	60	NIL

Market Services					
Item Description	Unit of Measure	Category	Current Charge	Proposed Charge	Amended Charge
First Floor	“		NEW	54	NIL
WESTLANDS MARKET					
EATERIES & NYAMA CHOMA					
Ground Floor	“		NEW	70	NIL
First Floor			NEW	58	NIL
Second Floor	“		NEW	45	NIL
Third Floor	“		NEW	36	NIL
ROILER SHUTTER DOOR STALLS & BUTCHERIES & SALON					
Ground Floor	“		NEW	100	NIL
First Floor	“		NEW	80	NIL
Second Floor	“		NEW	64	NIL
Third Floor	“		NEW	50	NIL
OPEN CURIOS SLOTS & HALF HEIGHT PORTIONAL STALLS					
Ground Floor	“		NEW	50	NIL
First Floor	“		NEW	40	NIL
Second Floor	“		NEW	32	NIL
Third Floor	“		NEW	26	NIL

RENTAL MARKETS – YEARLY RENT PER STALL**Modern Kiosks**

Item Description	Unit of Measure	Category	Proposed Charge	Amended Charge
Modern Stalls Per Year	Each		500	1,000
At Bus Park Per Year	Each		500	1,000
Registration Fee once	Each		3,000	NIL
TENANT PURCHASE MARKETS				
Tenant Purchase Schemes(Mkts Admin Charges)	Each		800	NIL
Site and Service Schemes Markets Administrator Charges	Each		800	NIL
Service Schemes Administrative Charges	Each		-	800

MARKET SERVICES			
Item Description	Unit of Measure	Proposed Charge	Amended Charge
Green Maize per	Ton	1,000	500
Red Onions	14kg net	40	20
White onion	14 kg bag	40	20
Shoe gum/Soles	Bag	50	20
Daily market access fee (small traders)		50	20
Honey	bucket	100	50
Item Description	Unit of Measure	Current Charge	Amended Charge
Cabbages	Per Ton	1,200	500
Carrots	Per Bag -90kgs	70	30

Melon	Per Ton	1,200	500
Spinach	Per Bag – 90kgs	60	30
Sukuma Wiki (kales)	Per Bag	70	30
Tomatoes	Large box	200	100
English potatoes	Per bag– 90kgs	70	30
Pineapple	Dozen	70	30
Sugarcanes	Bundle	50	20
Arrow roots	Per bag– 90kgs	70	30
Banana	Bunch	50	20
Mangoes	Large box	60	30
Pawpaw	Crate	70	30
Green Maize	Per bag– 90kgs	70	50
Plums	Carton	70	30
French Beans	Per Bag– 90kgs	70	40
Capsum (hoho)	Per Bag– 90kgs	70	30
Peas	Per Bag– 50kgs	70	30
Avocado	Per Bag– 90kgs	70	40
Yams	Per Bag – 90kgs	70	30
Ginger BCT	Per Bag- 90kgs	100	50
Garlic	Per net- 14kgs	70	30
Lorry Admission	Per lorry	1,000	500
Car/Pick up Admission	Per vehicle	700	300
Handcart Admission	Per Handcart	70	50
Red onion	Per Net- 14kgs	80	50
White onion	Per Net – 14kgs	100	50
Landing fees for animals/Cold dressed carcass			
Per Cow		300	150
Per Goat		70	30
Per Pig		150	70
Fish	Per basket - large	400	150
	Per basket – medium	300	100
	Per basket - small	200	70

4) Clause 4 be amended by deleting the schedule titled “Informal Sector”

5) NEW Clause 5A

That the Bill be amended by inserting thereof the following new clause 5A:-
“The application of the rates shall not be effected until all disputes related to the new valuation roll are heard and determined”

6) That the Schedule in the Nairobi City County Revenue Act, 2015 titled “Public Health Services” be amended by inserting and revising the charges with respect to the items contained in Clause 6 while taking into account the following amendments for the respective items: -

Item Description	Unit Measure	of Category	Proposed Charge	Amended Charge
Food Hygiene License				
Mobile food vendors/hawkers	Per license	Premises	7,000	NIL
Mobile Food Caterers with motor vehicle	Per license	Premises	7,000	3,500

Item description	Unit of measure	Category	Proposed charge	Amended Charge
COVID-19 PCR testing	Per test	n/a	3,000	1,500
Research and Internship in Health				
Local students coming for placement/practical/internships	practical/	Per placement	New	free

Item Description	Unit Measure	of Category	Proposed Charge	Amended Charge
Pumwani College of Nursing and Midwifery				
Decentralized training centre – reproductive health – 6 months course	Per course	n/a	50,000	20,000
Diploma in Nursing – Midwifery (basic) 3 years course	Per year	n/a	145,000	100,000
Diploma in Registered Midwifery – 1 year course	Per year	n/a	90,000	50,000
Certificate in Registered Midwifery - 1 year course	Per year	n/a	80,000	40,000

Item Description	Unit of Measure	Proposed Charge	Amended Charge
Food Kiosk	Per Certificate	7,000	1,000
Mobile Cookers and Barbeques	Per Certificate	7,000	2,000
Bakery – Large	Per Certificate	7000	7,000
Medium	Per Certificate		5.000
Small	Per Certificate		2,000
Temporary/ occasional license	Per Certificate	5,000	2,000
Milk Shops	Per Certificate	5,000	1,000
Online food services	Per Certificate	10,000	5,000
Cereal shops	Per Certificate	10,000	1,000
Snack/ soft drinks	Per Certificate	7,000	1,000

- 7) **Clause 8** be amended in the first paragraph and in the Schedule by deleting the expression “Sub County”
- 8) **That the Schedule in the Nairobi City County Revenue Act, 2015** titled “Small Trade Services” be amended by inserting and revising the charges with respect to the items contained in Clause 8 while taking into account the following amendments for the respective items: -

Building Stone		Proposed Charge	Amended Charge
Up to 7 tons	Per month	48,000	10,000
7 - 10 tons	Per month	72,000	15,000
10 - 15 tons	Per month	96,000	20,000
Above 15 tons	Per month	144,000	25,000
Hard Core			
Up to 7 tons	Per month	24,000	8,000
7 - 10 tons	Per month	48,000	10,000
10 - 15 tons	Per month	72,000	12,000
Above 15 tons	Per month	120,000	15,000
Sand and Ballast			
Up to 7 tons	Per month	48,000	10,000
7 - 10 tons	Per month	72,000	15,000
10 - 15 tons	Per month	96,000	20,000
Above 15 tons	Per month	120,000	25,000
Penalty for failure for pay the required Monthly Seasonal Ticket fee	Per Vehicle	-	100,000

- 9) **Clause 10 (2) of the Bill** be amended by deleting the expression, “is deemed to be renewed for a period specified in the license” and replacing it with the words, “shall be renewed for a period from the date of payment of the license”.

- 10) The Bill be amended by inserting thereof the following new Section 26 (A) (3):-

“Failure to renew respective license at the required time shall attract monthly interest of 3% of the license fees payable”

11) New Clause 10A

That the Bill be amended by inserting new Clause 10A as follows: -

“The schedule in the Nairobi City County Trade Licensing Act, 2019 is amended by inserting and revising the charges with respect to the following items”-

INFORMAL SECTOR			
Item Description	Unit of Measure	Current Charge	Amended Charge
1 Hawker with motor vehicle on a designated area selling agricultural produce	Per annum	15,000	5,000
1 Hawker with motor vehicle (2 tons and below) on a designated area selling other items	Per annum	15,000	15,000
1 hawker without motor vehicle	Per annum	7,000	NIL
1 vendor at Uhuru Park	Per annum	5,000	3,000
Small informal sector trader/service provider e.g. shoe shiner shoe repair, street vendor (newspapers, soda, sweet, cigarette etc.) in Zone and II as defined in Clause 3	Per annum	2,500	1,000
Semi-permanent informal sector trader;-up to 2 Persons In Verandah or temporary building in Zone I and II and defined in Clause 3	Per annum	3,500	2,000
Other informal sector	Per annum	2,000	1,000
Transport Storage and Communications			
Large Private Parking: Capacity; over 100 vehicles	Per annum	100,000	2,000,000
Large Private Parking: Capacity; 51- 100 vehicles	Per annum	50,000	1,000,000
Large Private Parking: Capacity; 1-50 vehicles	Per annum	30,000	500,000

12) That the Schedule in the Nairobi City County Betting Lotteries and Gaming Act, 2021 be amended by inserting and revising the charges with respect to the Schedule contained in Clause 11 while taking into account the following amendments for the respective items: -

Prize Competition Permit			
Item Description	Unit of Measure	Proposed Charge	Amended Charge
Transfer (location fee)	Each	10,000	100,000
Gaming (Casino) Premises License Fee			
Grant fee	Each	1,000,000	1,500,000
Annual Fee	Each	300,000	500,000
Totalisator Premises License			
Grant fee	Each	200,000	500,000
Annual fee	Each	100,000	200,000
Amusement Machines			
Application fee	Each	250	500
Annual fee	Each	5,000	10,000
Pool Table License	Each	10,000	5,000
Anybody gambling in unlicensed premises	Each	20,000	NIL
Anybody operating unlicensed gambling premise	Each	NIL	100,000
Penalties for allowing minors to participate in Gambling or Gaming	Each	100,000	250,000
Pool Table License			
Annual fee	Per table	10,000	5,000

13) That the Schedule in the Nairobi City County Disaster and Emergency Management Act, 2015 be amended by inserting and revising the charges with respect to the items contained in Clause 12 while taking into account the following amendments for the respective items: -

Item Description	Unit of Measure	Proposed Charge	Amended Charge
Shops	Small to Medium – per year	4.500	0
Malls	Each	-	100,000
Supermarkets	Each	-	20,000
Restaurants and Hotels	Each (50 -100- sitting capacity)	-	20,000
	Each (50 and above sitting capacity)	-	30,000
Commercial Buildings in Zones I and II as in Clause 3	Each	-	10,000
Commercial Buildings in other zones	Each	-	5,000
LPG Bulk Storage	Per year	100,000	20,000

14) That the Schedule in Clause 13 be amended by inserting and revising the charges therein while taking into account the following amendments for the respective items: -

Multi- Directional sign (inside plot) / freestanding	Proposed Charge	Amended Charge
Application fee per site	0	10,000
Annual advertisement per structure	-	100,000
Annual license fee per plot	10,500	-
Advertisement on Road Reserves (per annum)	Charge	
Application Fee	NIL	2,000
Fee for at most 3 meters	NIL	18,200
Fee for every additional meter	NIL	2,000
Land rent for advertising structures including billboards	300,000	NIL
Stand fee for advertising structures including boards	NIL	300,000

- 15) That the Schedule in Clause 14 be amended by inserting and revising the charges therein while taking into account the following amendments for the respective items: -

1.6 PERMIT FOR PRIVATE SERVICE PROVIDERS (PSP)				
Item Description	Unit of Measure	Category	Proposed Charge	Amended Charge
Private Service Providers per annum	No of Trucks	Per Truck	20,000	5,000
1.7 CLEANSING LABOUR HIRE				
Per Head	Per Hour		600	200

- 16) Clause 15 of the Bill is deleted and replaced thereof with the following new Clause: -

(15) The Nairobi City County Revenue Administration Act, 2019 is amended by inserting the following sub sections (c) and (d) immediately after sub section 41 (b)

(c) - Notwithstanding any provision of this Act, an officer who before the commencement of this Act was responsible for revenue collection and enforcement may exercise the powers under this Act pending the appointment of the Board of Directors and the staff of the Board under sections 6, 8, 12 and 13 of the Act.”

(d) - Unless the Board otherwise determines, all persons being officers appointed by the County Public Service Board, who before the commencement of this Act are employed by the County for purposes of revenue collection and designated as revenue officers by the County Executive, shall on the commencement of this Act, be deemed to be on secondment to the Authority until they are employed in the service of the Authority in accordance with this Act or the secondment with the Authority otherwise ceases in accordance with the terms of the secondment.

PART XI: THE NAIROBI CITY COUNTY ALCOHOLIC DRINKS CONTROL AND LICENSING ACT, 2014

NEW CLAUSE 15A

- 17) The Nairobi City County Alcoholic Drinks Control and Licensing Act 2014 is hereby amended as follows; -

a) in Section 2 by inserting the following new definitions in proper alphabetical order;

- “Fees” means amount paid for a service to cater for the cost incurred in the provision of such a service;

- “Penalties/Interest” means an amount charged above the principal outstanding or late payment beyond stipulated period.
- b) by inserting a new Part VIII headed “Fees and Charges” immediately after Part VII
- c) by inserting a new section under Part VIII as follows:
- d) “The fees, charges and penalties in this act shall be as contained in the Fourth Schedule”
- e) By inserting thereof, the Schedule in Part 11 of the Nairobi City County Revenue Act 2015 titled “Liquor Licenses” as the Fourth Schedule and naming it “Fees and Charges”
- f) That the Fourth Schedule of the Act be amended by inserting and revising the charges with respect to the following items: -

Type of licence	Current Charges		Amended Charges	
	For 12 Months	For 6 months or less	For 12 Months	For 6 months or less
1. General retail alcoholic drink licence in respect to premises situated within Nairobi County	50,000	30,000	25,000	15,000
2. General retail alcoholic drink licence (off licence)-wines and spirits in respect to premises situated within Nairobi County	24,000	14,000	12,000	7,000

II. The Assembly resolved on Thursday, 10th February, 2022 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on **Bills** sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by 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 (if the Bill is not sponsored by either of them); 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.
- b) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; 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, 15th February, 2022 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, 15th February, 2022 at 2.30 p.m.: -

A. *MOTION – HON. PATRICIA MUTHEU, MCA

Subject: measures to identify, train and equip Nyumba Kumi members on handling fire outbreaks and emergencies.

THAT, aware that Part 2 of the Fourth Schedule to the Constitution provides for firefighting services and disaster management as a function of the County Governments: **DEEPLY CONCERNED** that there is increasingly numerous cases of fire outbreaks, particularly affecting markets and informal settlements across the county; **NOTING** that these fire outbreaks have caused heavy losses for residents, some of whom have had these incidents affect them repeatedly; **RECOGNIZING** that if the County Executive were to take measures to ensure fire safety precautions are taken in all markets and informal settlements it would help curb the scope of damage caused by the repetitive fires since the response will be timely; **REALIZING** that these measures ought to include mapping out hot spots across informal settlements and markets where the repetitive fire outbreaks are notorious; **CONVINCED** that the County can do this by equipping Nyumba Kumi and select volunteers under it, with the necessary facilities such as fire extinguishers to act as first responders in case of fire or other emergency outbreaks; this Assembly urges the County Executive to urgently take measures to identify, train and equip Nyumba Kumi members and such volunteers under them with the necessary skills and equipment as appropriate to enable them to respond faster to fire and emergencies in Nairobi City County especially the informal settlements where rescue services take longer to respond.

