



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, JUNE 8, 2023 AT 2.30 P.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. *MOTION – HON. KENNEDY SWAKA, MCA

Subject: *Designated termini for operation public transport vehicles in the County*

THAT, aware that Article 46 of the Constitution of Kenya 2010 provides that consumers have a right to protection, health, safety and economic interests, the Constitution in Part II of the Fourth Schedule apportions the parking and traffic aspects of transport function to County Governments; **COGNIZANT THAT** Section 27 of the Nairobi City County Transport Act, 2020 prohibits PSVs from picking and dropping passengers at undesignated bus stops and Sections 46 and 47 of the Act prohibits persons from parking on public roads in a manner that impedes traffic flow and strictly restricts parking to the designated areas, the Sections particularly prohibits PSVs from using undesignated areas as parking prior to obtaining authority from the County; **NOTING THAT** in pursuit of the County beautification initiatives, the County has from year to year allocated and appropriated funds towards rehabilitation, greening and decoration of roundabouts including entering into maintenance agreements with private companies for the purpose of environmental aesthetics; **FUTHER NOTING THAT** the County has been putting in place measures to

decongest the County but PSVs continue to operate in undesignated areas along roads in the County for instance Outer Ring Road, Jogoo Road e.t.c; **DEEPLY CONCERNED THAT** the persistent use of roundabouts, road shoulders by PSVs as termini has continued to cause heavy tailbacks of traffic on key roads such as Outer Ring road on a daily basis leading to loss of productive time and loss of value for public money and investments; this Assembly urges the County Executive to:

- 1) Issue a public notice prohibiting public transport (PSVs) from using roundabouts as termini, road shoulders, laybys and/or parking areas in contravention of the law;
- 2) Continuously enforce the foregoing prohibition notice using enforcement officers at the County and Sub-County levels; and
- 3) Formulate regulations to the Nairobi City County Transport Act 2020 forthwith to provide for punitive measures for operators who illegally use roundabouts as termini, laybys or parking.

NOTICES

I. The Assembly resolved on Tuesday, 21st February, 2023 as follows: -

- a) **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, 13th June, 2023 at 2.30p.m.

(Published pursuant to Standing Order 41(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, 13th June, 2023 at 2.30 p.m.: -

A. *MOTION – HON. JOYCE MUTHONI KAMAU, MCA

Subject: *Construction and reticulation of sewerage system in the county*

THAT, aware that Article 43(1)(b) of the Constitution of Kenya 2010 guarantees every person the right to accessible and adequate housing and reasonable standards of sanitation; and the Constitution in Part II of the Fourth Schedule apportions water and sanitation function to County Governments; **Acknowledging that** Sustainable Development Goal 6 seeks to achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.; **Cognizance that** despite lack of proper legal framework, Nairobi Water and Sewerage Company, on behalf of the County administers the services of reticulation of residential, commercial and industrial entities to sewerage disposal but the company is facing a challenge of adequately covering the entire county in terms of provision of sewerage disposal services; **Noting that** that some entities and residential operate private sewer holding facilities and pit latrines within their compounds which fill up during rainy season and begin to spill to the environment exposing the residents to risk of contracting hazardous diseases; **Concerned that** the County's informal settlements are facing serious challenge of management of sewer where waste is directly released to rivers which often pass through the settlements; and that those that have private arrangements for sewer end up filling up and leaking onto the surface exposing residents to diseases because of lack of proper sewerage facilities and trunks passing through the areas; **Further concerned that** as the population continues to grow, the County will face even a bigger problem if it does not put in place proper measures including installation of sewer trunks and expanding the existing infrastructure and connect as many entities as possible; this Assembly urges that:-

- 1) Nairobi City County in conjunction with Athi Water Works constructs sewer trunks through informal settlements within the County;
- 2) Nairobi City County seeks partnerships with non-governmental organizations (NGOs) to install sewer lines within informal settlements and embark on a drive to connect entities and residential housing units to the sewer lines;
- 3) Formulate a sanitation policy to guide the provision of sanitation services within the county, to provide a framework for accessible sanitation services and to provide and basis for a law to guide sanitation services in the County.