



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (THIRD SESSION)

ORDERS OF THE DAY

THURSDAY, OCTOBER 31, 2024 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. Statements

8. *MOTION – HON. MARK MUGAMBI MACHARIA, MCA – MINORITY WHIP

Subject: *Renovation of Bus Station terminus*

THAT, aware that public transportation is a critical component of the County's economy and by extension, the Country's micro and macroeconomics since it facilitates the movement of people, goods and services. **NOTING THAT** the Fourth Schedule of Constitution of Kenya 2010 apportions public transport, parking, traffic management to County Government; **APPRECIATING THAT** in order to endeavor to bring order in public transport, parking and traffic management, the Assembly passed the Nairobi City County Transport Act, 2017 which is a progressive and transformative piece of legislation if implemented. **FURTHER APPRECIATING THAT** in the said Act, the County Government is required to designate termini for use by public transport vehicles operating within the County and long distance vehicles. In the Gazette Notice No. 4479 dated 12th May 2017 by the County Government, Bus Station, terminus was designated as a public transport facility (terminus) to be used by public service vehicles in specified within the County; **REGRETTING THAT** over time, bus station terminus has been in state of neglect and the facility has illegally been

occupied by traders who have contributed to deterioration of its condition by erecting illegal and invasive structures; **ACKNOWLEDGING THAT** together with other public transport facilities, Bus Station terminus can immensely contribute to reduction of public transport disorder in the County if rehabilitated and properly ordered and that the County can benefit through optimized revenue collection that can be deployed to priority development areas. **DISTURBED THAT** should the County leave Bus Station terminus in the current state of despair without remedy, it will lose its significance of facilitating ease of movement of people, goods and services within the County. **NOW THEREFORE**, this Assembly resolves that:

- a) The County Executive closes down the Bus Station terminus for the purposes of carrying out comprehensive renovations and thereafter implement measures for orderly operations of public transportation;
- b) The County Executive to issue an adequate public notice notifying the planned closure for renovations and put in place temporary picking and drop off measures for public transport vehicles that are currently using the facility; and
- c) That upon completion of the rehabilitation exercise, the County Executive to ban all trading activities within the station so that it is exclusively for activities related to public transportation.

9. * MOTION – HON. JOHN REX OMOLLEH, MCA

Subject: *Operationalization of the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act of 2018 and Development of Regulations to ban adverts on electricity poles, public walls across the County*

THAT, aware that Part Two of the Fourth Schedule of the Constitution of Kenya 2010 provides for the functions of the County Governments which include control of air pollution, noise pollution, other public nuisances and outdoor advertising; further aware that the County Assembly passed the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 which provides for the regulation of outdoor advertisement and signage within the County; **concerned that** there are several adverts and posters erected in various public places such as electricity poles, streetlight poles, public walls and buildings, which has not only affected the aesthetics of the City but have not complied with the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018; **further concerned** that the County Assembly passed the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 which has not been published, publicized and operationalized to date; noting that Section 7 (I) of the Nairobi City County Office of the County Attorney Act, 2017 provides that the County Attorney shall publish all legislation passed by the County Assembly, this Assembly resolves that:-

1. The County Attorney to publish the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 within fourteen (14) days after the adoption of this Motion; and
2. County Executive Committee Member responsible for Urban Planning to develop Regulations pursuant to the provisions of Section 27 of the said Act to provide for a ban on illegal adverts and posters erected in various public places such as electricity poles, streetlight poles, public walls and buildings across the County.

NOTICES

I. The Assembly resolved on Wednesday, 14th February, 2024 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, 5th November, 2024.

(Published pursuant to Standing Order 41(1))

IT IS NOTIFIED that the Assembly Business Committee, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Tuesday, 5th November, 2024 at 2.30 p.m.: -

1. MOTION – HON. WAITHERA CHEGE, MCA

Subject: Amendment of Urban Housing Renewal and Regeneration Policy

THAT, aware that Article 43(1) (b) of the Constitution of Kenya, 2010 provides for the right of every person to accessible and adequate housing and to reasonable standards of sanitation; **further aware** that paragraph 8 of Part Two of the Fourth Schedule to the Constitution of Kenya, 2010 provides for the functions of County planning and development including housing are vested in the County Government; noting that Nairobi City County Government owns various estates in various parts of the County such as Jamhuri in Woodley, Ngara, Huruma, Jericho amongst others; **concerned that** most these estates are in dilapidated conditions and are lacking clear management framework; **acknowledging that** the County has initiated the urban renewal program aimed at developing decent affordable housing units particularly in the County owned estates; further acknowledging that the County developed the County Urban Housing Renewal and Regeneration Policy which provides for general promotion of housing, this Assembly urges the County Executive to amend the existing County Urban Housing Renewal and Regeneration Policy to provide for the management of County Government owned estates including maintaining best practices in Estate Management, maintain and update a comprehensive County Government Housing inventory and protect County Government ownership its properties.

2. MOTION – HON. JOHN REX OMOLLEH, MCA

Subject: Enforcement of Section 22 of the Nairobi City County Solid Waste Management Act, 2015 requiring all business owners to have dustbins in designated areas at their premises.

THAT, aware that Article 42 of the Constitution of Kenya 2010 provides for the right of every person to a clean and healthy environment which include the right to have the environment protected for the benefits of current and future generations; **further aware** that Section 5 of the Nairobi City County Solid Waste Management Act, 2015 provides that every person within the County is entitled to a clean and healthy environment and has a duty to safeguard and enhance quality of the environment; **acknowledging** that Section 4 of the said Act provides for the shared responsibility of all actors including the County Government, owners and occupiers of premises and contracted service providers in solid waste management; **further acknowledging** that Section 22 of the Act states that every owner or occupier of any premises shall provide appropriate waste container and maintain it in accordance with the Act and shall cause all domestic waste from his or her premises to be placed in such container. The Section further provides that every such owner or occupier shall cause all waste containers in his or her premises to be placed and kept in approved place upon his or her premises or elsewhere as directed by an authorized officer so as to be accessible to the service provider that he or she subscribed to for the purpose of its removal; **concerned** that since the enactment of the Nairobi

.../Notice Paper I

City County Solid Waste Management Act in 2015 to date nothing in terms of operationalization of Section 22 of the Act has been done; **therefore**, this Assembly resolves that the County Executive Committee Member responsible for environment to move with speed and: -

1. Enforce the provisions of Section 22 of the said Act on all business premises and any other premises across the County; and
2. Develop Regulations pursuant to the provisions of Section 27 of the said Act and submit to the Assembly within sixty (60) days after the adoption of this Motion for consideration and approval.

