



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

THURSDAY, AUGUST 6, 2026 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. Questions and Statements

8. *MOTION – HON. ANTONY MARAGU, MCA

Subject: Restoration of public infrastructure damaged by public and public construction works

THAT, aware that paragraph 5 (a) of Part II of the Constitution of Kenya provides for County Roads as a function of County Governments and that Paragraph 18 of Part II provides for National roads as a function of National Government; **Further aware** that Section 50 of the Kenya Roads Act, 2007 provides that the owner of a vehicle is liable for damages on a road by reason of vehicle passing over it in contravention of rules made by the relevant authority under the Act; **Noting that** Section 41 (8) of the Nairobi City County Transport Act, 2020 requires that utility companies that have been granted permission to carry out works shall ensure that the road and its facilities are reinstated to appropriate standards; **cognizant that** construction companies carrying out projects on real estate, roads and other sites are bound to use heavy equipment and machinery that use public roads and other public facilities; further cognizant that in executive their works, the mobility of these heavy equipment and machinery cause damage to public roads near the sites since their tonnage may be higher than the roads may tolerate; **deeply concerned** that the resulting poor condition of the road riddled with deep potholes and stagnant water

cause profound inconvenience to other road users and accelerated wear and tear to vehicles of reasonable sizes, further, the ambition to reduce time spent on the road during movement of goods and services becomes greatly hampered; further concerned that should this trend be left to persist and National and County regulations unenforced in light of many construction works that are ongoing in the County, many roads that the County and National Governments have spent resources to construct will be left impassible forcing the allocation of fresh resources for their repair and maintenance. Now therefore, in order to curb reckless damage to public infrastructure, especially roads, the Assembly urges the County Executive Committee Member to urgently formulate and submit Regulations to Nairobi City County Transport Act, 2020 to provide for procedures, rules, offenses and sanctions on damage to public infrastructure in the course of any public or private construction works.

NOTICES

I. **The Assembly resolved on Wednesday, 17th February, 2026 as follows:**

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- 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, 11th August, 2026 at 2.30 p.m.

(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, 11th August, 2026 at 2.30 p.m.: -

1. *THE COMMITTEE OF THE WHOLE COUNTY ASSEMBLY – TO CONSIDER THE NAIROBI CITY COUNTY WARDS DEVELOPMENT PROGRAMME BILL, 2026 (ASSEMBLY BILL NO.2 OF 2026)

Subject: *Committee of the Whole County Assembly*

The Nairobi City County Wards Development Programme Bill, 2026 (Assembly Bill No.2 of 2026)

(Hon. Dabar Ahmedqadar Mohamed, MCA – Chairman, Select Committee on Wards Development Fund)

(Committee of the Whole County Assembly)

2. *MOTION – HON. SAMSON OCHIENG' JERA, MCA

Subject: *Investigation of all public and open spaces irregularly developed in the County by the County Executive in conjunction with National Lands Commission*

AWARE THAT Article 67 of the Constitution of Kenya, 2010 establishes the National Lands Commission with its functions being amongst others to; manage public land on behalf of the National and County Governments; and, to initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress; **CONCERNED THAT** public land and open spaces reserved for the development of essential public amenities such as schools, hospitals, markets, recreational facilities and other infrastructure critical for public service delivery has been irregularly allocated, illegally occupied, or developed by private individuals and entities, thereby denying residents access to essential services and impeding the County Government's ability to implement critical development projects; **DEEPLY CONCERNED** that the continued grabbing and encroachment of these parcels of land undermines the urban planning frameworks, violates land use regulations and contributes to the deterioration of service delivery in sectors such as education, healthcare, and sanitation; **NOTING** that the National Land Commission (NLC) is constitutionally mandated to manage public land on behalf of National and County Governments, and is empowered to initiate investigations into historical and current land injustices; **NOW THEREFORE**, this Assembly urges the County Executive in conjunction with National Land Commission to;-

- i) Conduct a comprehensive audit and investigation on all public land and open spaces in Nairobi City County that have been irregularly allocated, occupied, or developed in the County;
- ii) Publicly share the outcomes of the investigations and table a comprehensive report with recommendations to the relevant National and County Government institutions including the County Assembly for further action; and,
- iii) Take appropriate action to reclaim such parcels of land where illegality has been committed either by the Commission or the Courts of Law.

3. *MOTION – HON. KENNEDY OYUGI, MCA**Subject: *Promotion of Road safety in the Nairobi City County***

AWARE that, paragraph 5 of Part 2 of the fourth schedule of the Constitution of Kenya, 2010 provides for County Transport including but not limited to; County roads, street lighting, traffic and parking and public road transportation as a devolved county function; **FURTHER AWARE** that Section 5 (2) of the Nairobi City County Transport Act, 2020 provides that the relevant County Executive Committee Member shall be responsible for *inter-alia*; regulation of an integrated public transport system, and promotion of non-motorized transport in the County; **DISTURBED THAT** road safety remains a critical concern within Nairobi City County, particularly within the Central Business District (CBD), where high human and vehicular traffic creates increased risk for accidents and conflicts among road users; **DEEPLY CONCERNED THAT** the rapid growth of *boda boda* motorcycle transport and Public Service Vehicles (PSVs), especially *matatus*, has significantly contributed to congestion, disorderly movement, and frequent violations of traffic regulations within the CBD, with the highest violators of lane discipline and use of walkways being the *boda boda* operators; **COGNIZANT THAT**, pedestrians and other users of non-motorized transport continue to face unsafe conditions due to encroachment on footpaths, walkways, and designated non-motorized transport lanes by motorcycles and other vehicles, compromises public safety, accessibility, and order within the city; **AGITATED THAT**, excessive hooting and the use of loud and modified mufflers by motor vehicles and motorcycles within the CBD has created noise pollution, causing nuisance and disruption to corporate offices, government institutions, learning institutions, and other public spaces; **RECOGNIZING THAT**, the promotion of disciplined road usage, enforcement of traffic regulations, and reduction of noise pollution are critical components of a safe, orderly, and livable urban environment; **APPRECIATING THAT**, effective collaboration between the County Government, the National Government, and relevant agencies is essential in achieving sustainable road safety and urban mobility management; this **ASSEMBLY THEREFORE RESOLVES** that:-

- i) The County Government of Nairobi develops and implements a **comprehensive Road Safety and Urban Order Campaign**, with particular focus on the Central Business District, aimed at promoting safe and orderly coexistence among *Boda boda* motorcycle riders, Public Service Vehicle (PSV) operators, pedestrians and users of non-motorized transport;
 - ii) The County Executive, in collaboration with the National Government and its agencies, enforces regulations to **ban unnecessary hooting** within the Central Business District, **Prohibit the use of loud and modified mufflers** by motor vehicles and motorcycles that contribute to excessive noise pollution and establish enforce acceptable noise level standards within urban areas;
 - iii) The County Executive develops supportive infrastructure and systems, including; clearly demarcated pedestrian walkways and non-motorized transport lanes and installation of signage on “No Hooting Zones” and noise control areas within the CBD;
 - iv) Enforce the 10KPH speed limit within the Central Business District;
 - v) Develop more pedestrian crossing areas (Zebra Crossing) and enforce the use of them for the safety of road users; and
 - vi) The County Executive to submit a **progress report within six (6) months** to the County Assembly detailing the implementation status of the road safety campaign, compliance levels among road users and reduction in accidents, encroachment cases, and noise pollution levels within the CBD.
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