

THE NAIROBI CITY COUNTY ASSEMBLY

(THE THIRD ASSEMBLY)

(PUBLIC PETITION PURSUANT TO PART XXII OF THE STANDING ORDERS)

BY RESIDENTS OF KILIMANI AREA, NAIROBI COUNTY

TO: THE CLERK,
NAIROBI CITY COUNTY ASSEMBLY
P.O. BOX 45844 - 00100
NAIROBI
clerk@nairobiassembly.go.ke



We, **THE UNDERSIGNED** citizens of the Republic of Kenya, who are residents of Kilimani within Nairobi County.

DRAW the attention of the Nairobi City County Assembly to the following:

THAT Oyster Bay Bar/Restaurant is an entertainment establishment located along Kilungu Road in Kilimani within close proximity to Cozy Garden Apartments, Millers Court, Westfield 34, Santana Court, Prit Lane Court 2, Refugee Consortium of Kenya, Muringa Grove, Town Houses along Kilungu Road and Cavina School where most of your humble petitioners reside with their families. This establishment has become a public nuisance in the residential neighborhood through noise pollution, mostly in the form of loud music played from aggravatingly amplified speakers. The establishment plays deafening levels of music on a nightly basis, with little to no regard for the inconvenience to and/or discomfort of your petitioners and other residents in the vicinity.

THAT your humble Petitioners in addition to the above aver that **Oyster Bay Bar/Restaurant** is equally a public nuisance for the following reasons:

III. CA Kanana Rose E.
Kindly Proceed to draft the
Petition; However I have noted
the signatures have been scanned
and therefore not original. In
this case the Petitioners need to
submit the original signatures.
After PCA ch'sp
26/10/2022

1. It attracts revelers from all over the county every night thereby causing unnecessary traffic along Kilimani Grove, Ndemi Road and Kilungu road.
2. It causes limited access to homesteads by area residents due to blocked roads caused by customers of the establishment parking recklessly on the road and along pavements.
3. It brings about intoxicated strangers in the neighborhood on a nightly basis, who pose a security threat to residents.
4. Noise from revelers shouting, screaming and hurling all sorts of vulgar words.
5. Suspected peddling of drugs and other harmful substances.

(We enclose herewith a petition signed by 145 concerned residents representing 145 household units as evidence of the establishment's public nuisance.)

THAT your Petitioners have pursuant to Article 42 of the Constitution of Kenya as read with the Environment Management & Co-ordination (Noise & Excessive Vibration Pollution, Control) Regulations 2009, lodged several complaints with the Nairobi City County Environment, Water & Sanitation department; the National Environment Management Authority, the National Police Service and the Liquor Licensing Board.

THAT despite lodging the aforesaid complaints, there is yet to be any action taken by the relevant authorities against the said establishment. The cries of your Petitioners appear to have fallen on deaf ears as the establishment continues to operate with utmost impunity on a nightly basis.

THAT the grievances raised by your humble Petitioners herein are not pending determination before any Tribunal or Court of Law in the Republic of Kenya.

HEREFORE your humble Petitioners pray that the County Assembly

1. Exercises its oversight authority over the Nairobi City County Executive, and more particularly the Director of Environment at the Nairobi County Environment, Water & Sanitation Department; to ensure mitigation of the Noise pollution emanating from Oyster Bay Bar/Restaurant and any other such rogue establishments around the affected residences aforesaid.

2. In the alternative, the Nairobi City County Assembly to assist the Petitioners by ensuring that the said establishment is shut down and/or removed from the premises wherein it is currently operating its business which is within a residential area in close proximity to the residences of the petitioners herein and Cavina School.

DATED this ^{25th} day of ^{October}2022.

DRAWN BY CAROLINE ODUOR & ASSOCIATES ADVOCATES FOR & ON BEHALF OF:

COZY GARDEN APARTMENTS, MILLERS COURT, WESTFIELD 34, SANTANA COURT, PRITT LANE COURT 2, MURINGA GROVE, TOWN HOUSES ALONG KILUNGU ROAD AND OTHER CONCERNED RESIDENTS OF KILIMANI AREA, WITHIN NAIROBI COUNTY. (SIGNATURES ATTACHED)

CAROLINE ODUOR & ASSOCIATES
P. O. Box 18872 - 00100
NAIROBI



















Petition to; NAIROBI COUNTY ENVIRONMENT, NYAYO HOUSE

CC/

NEMA HQ'S
OCPD. KILIMANI

Petition summary and background	We, the residence of COZY GARDEN APARTMENTS on LR. No.2/729, Ndemi Lane, are filing a petition because of the incredible noise disturbance by the following adjacent club (Oyster Bay) throughout the week especially at night
Action petitioned for	The mentioned premises should be ordered to stop immediately because it's causing us sleepless nights and would result to health hazards if prolonged.

Printed Name	Signature	Address	Comment	Date
Peter M. Mwangi		P.O. Box 50087-00100	Residence with peace & quiet. ^{time} quite is a night.	22/10/2022
SUGAN MUMUNDI		P.O. Box 441191 - 00610	Residence need peace & quiete nite	22/10/2022
Gilbert Kiriri		P.O. Box 18863-00100	Address the pollution	22/10/2022
Bella Gae Kidmanu		P.O. Box 13599-00800	In support of the peace	22/10/22
Beatrice Tarrua		P.O. Box 56985-0025	In support	22/10/22
Lynne Githua		P.O. Box 476-00202	In support	22/10/22
Mavis Mwira		P.O. Box 79133-00400	In support	23/10/22
Solomon Akudillo		P.O. Box 25830-0025	In support	23/10/2022
Mwende Kanyo		P.O. Box 18505-00500	In support. Address noise pollution	23/10/22

Printed Name	Signature	Address	Comment	Date
ISMAIL MEMBOB		#45112-00100 NRB1.	Too noisy and cars parked close to our entrance.	23/10/22
DOROTHY JEMTION		6438-00300 NRB1	The noise is unbearable especially for our school going kids.	23/10/22
TADESSE HAILE		COZY-GARDEN ADDIN-POHO 25256-00100 NRB	the noise is so loud it is not supposed to be in this area STOP THE MADNESS	23/10/22
BERNARD GRUMA		COZY GARDEN 59633-00200 NRB	Shut down the establishments	23/10/22
THANILION OLAIA		NDENI 77	I support the petition	23/10/22
ESTHER SARAH		COZY GARDEN NDENI ROW	I truly and fully support	23/10/22
ISUMA OMORU		Cozy Garden, A-1-1	We are really disturbed by the music	24/10/22
BENJAMIN OYOFEMI		Cozy garden center	its crying at night	24/10/22
IFESIN OMIN		18872-00100	I support	24/10/22
ROSELEY NYOJE		Cozy Garden	Noisy at night	24/10/22
AFIN MUYAT		Cozy Garden	I support	24/10/22
DICHA SGRANGE		Cozy Garden	This is a residential area. We need Peace & Quiet	24/10/22
AKHIA KIRIGA		Cozy Gardens	It is not acceptable	24/10/22
OLCAY KARADAYI		Cozy Gardens	Should be closed	24/10/22
GOFFRAY GILLI		Cozy Garden		24/10/22
LUKE OKENO		Cozy Garden	I support	24/10/22










Petition to; NAIROBI COUNTY ENVIRONMENT, NYAYO HOUSE







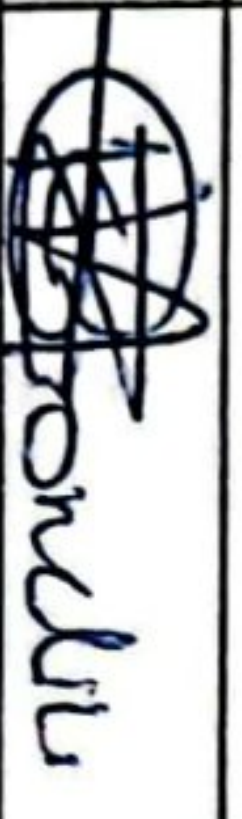









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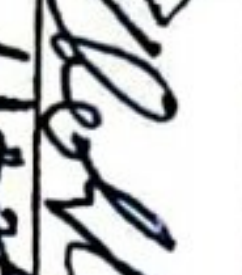










NEMA HQ'S

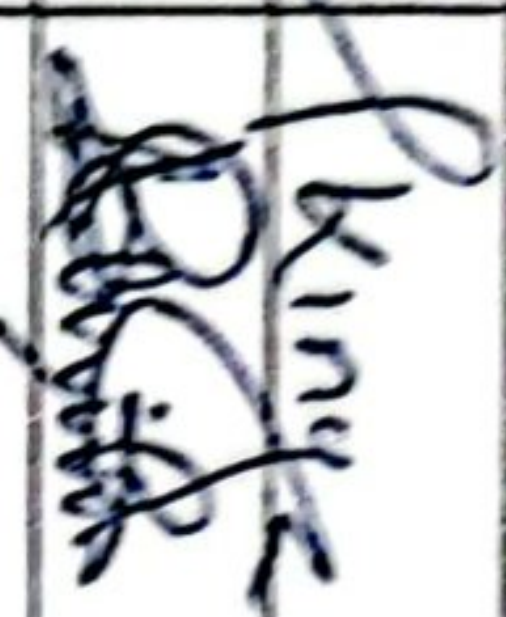











OCPD. KILIMANI

Petition summary and background	We, the residence of COZY GARDEN APARTMENTS on I.R. No.2/729, Ndemi Lane, are filing a petition because of the incredible noise disturbance by the following adjacent club (Oyster Bay) throughout the week especially at night
Action petitioned for	The mentioned premises should be ordered to stop immediately because it's causing us sleepless nights and would result to health hazards if prolonged.

Printed Name	Signature	Address	Comment	Date
Isabella Okoro		46391 00100	Pray that the Authority that he will take action please taking actions we are being disturbed.	15/3/2022
Benjamin Obafemi			Please ensure Oyster Bay does not play loud music	16/3/2022
Anastasia Zeyne		COZY Gardens	Please reduce noise from 10pm	16/9/2022
Geoffrey Willis		COZY Gardens	I will have to 2	
Bernard W. Ochieng		46391-00100	Senior NBI-official 16/9/2022	
Margaret Adego		102742-00101 NBI	The Noise is unbearable not good for your education	17/9/22
Yol Andisi		102742 00101 - NBI	Please secure us from this	17/9/22
George Inungu		7787-00300	NO NOISE	17/9/22
Susan Othman		4672-00100	Kids are being affected with the loud noise	18/9/22

Printed Name	Signature	Address	Comment	Date
Vincent Ouma		4672 - GPO NRB	Change of user during sound proof	15/9/22
Mary Onguko		35205-00200 NRB	Too noisy. kids are unable to sleep.	18/9/22
Osar Mtwia		35205-00200 NRB	Unnecessary noise in the area 8/9/22	18/09/22
Talact Mohamed		Cozy Garden NRB	very noisy	18/09/22
Doaa Sarah		Cozy Garden NRB	VERY noisy	18/09/22
Mohammed Talact		Cozy Garden NRB	very noisy	18/09/22
KEVIN OHDICO		Cozy Gardens	loud Noise	18/09/22
Kenneth Mithika		Cozy Gardens	Very noisy that it is disruptive	18/9/22
Robley Njoi		Cozy Gardens Bgr	Unacceptable noise	18/09/2022
ANASTASIA WAKERA		Cozy Gardens	Noise in a residential area	18/09/2022
GILMAN BERNARD		Cozy GARDENS	Loud Noise	18/09/2022
Eberhard Zephora E-zaphile		Cozy Gardens	Loud Noise	13/09/2022
Felix Ominio		Cozy Garden	Crazy noise noise	13/09/2022
Jephthah Ouma		Cozy Garden	Loud noise	13/09/2022
Amo Isaac		Cozy Garden	Disturbance Noise	13/09/2022
Melissa Samuel		Cozy Gardens	Very loud Noise and parking in front of apartments	28/9/22










Printed Name	Signature	Address	Comment: loud music, noisy neighbor, etc. (if any)	Date
Dorely Jemah		6438-DB305	last night at 2:15 am it was unbearable. kindly inform me	28/9/2022
James Ndoungue		4320-00200	too loud music. can't hold conversations in evenings	28/9/2022
Virginia Kanani		102684-00101	Loud Music Spouse	28/9/22
Anne Haganba		16180-00100	Very loud music	28/09/22
Mariam Mubamad		Cozy Gardens	Loud Music	28/09/22
Richard Zeyhe		Cozy Garden D9-2	nuisance music	28/09/22
Michael Denny		Cozy apartments	Loud music	28/09/22
Andrew Tren		Cozy Apartment	Loud noise	28/09/22
Manlene Gays		Cozy Gardens Apts	Loud noise, cars parked	29/09/22
Deatrice Idrissou		Cozy Gardens APT	Loud noise, cars parked	28/09/22 A12
Gladys Njunga		Cozy Gardens APT.	" " "	28/09/22
Allan Asunda		Cozy Gardens Apt	Loud music, distraction	28/09/2022
Natoum Wamvul		Cozy Gardens APT.	Loud noise at night	28/09/2022
Phredy Gilma		Cozy Gardens XPI	Loud noise	28/09/22
John Mayulu		6438-DB300	Loud Noise	28/9/22
Melkis Muleu		Cozy Gardens	VERY LOUD NOISE	29/9/22

Printed Name	Signature	Address	Comment	Date
ANITA KIRIGA		102231-00101 NAIROBI	Noisy.	29/09/22
MUSEEN MASTIS		196-00600 NAI	Noisy	29/09/22
Jane GARECUA		Cozy Gardens	Noisy To Reduce noise to reasonable levels.	29/09/22
PATRICIA WAMBUI		Cozy Gardens		29/09/22
IKARA AMO		COZY GARDENS	on behalf of Joyce	29/09/22
MARY K. DYUMBO		COZY Garden	Noisy Club.	29/09/22
GILBERT KIRUI		COZY Garden	Noisy Club	29/09/22
JUDY MURDOGH		COZY GARDENS	NOISY CLUB	29/09/22
TADESSA HAILE		COZY GARDENS	Noisy	29/09/22
Josephine Kariuki		COZY GARDENS	Noisy Club	29/09/22
ALBERT GACIARA		COZY GARDENS	Noise	29/09/22
NANLO KIRUBO		COZY Gardens	Very loud noise	29/09/22

Petition to; NAIROBI COUNTY ENVIRONMENT, NYAYO HOUSE
CC/

NEMA HQ'S
OCPD. KILIMANI

Petition summary and background	We, the residence of Muringa Groove Apartments on Muringa Groove Lane, are filing a petition because of the incredible noise disturbance by the following adjacent club (Oyster Bay) throughout the week especially at night
Action petitioned for	The mentioned premises should be ordered to stop immediately because it's causing us sleepless nights and would result to health hazards if prolonged.








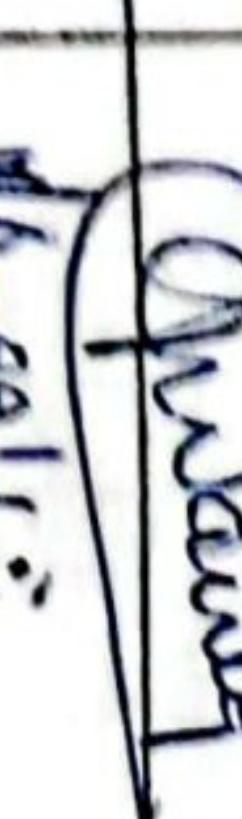

Printed Name	Signature	Address	Comment	Date
LOUWON KUMWIRA		MURINGA GROOVE	close it down	29/9/22
BEATRICE LUMWIRA		18349 - 00100	Too much noise	29/9/22
EDIE MURILLA		Nairobi	Excessive Noise	29/9/22
BRAYTON BONAYA		MURINGA GROOVE	EXCESSIVE NOISE	30/9/22
BRISON DADDAH		MURINGA GROOVE	Noise	30/9/22
Sunday Bako		MURINGA GROOVE	NOISE	30/9/22
JAVAN DADDAH		MURINGA GROOVE	NOISE	30/9/22
JULIANA DADDAH		MURINGA GROOVE	NOISE	30/9/22
AHH TAAHI		MURINGA GROOVE	NOISE	30/9/22









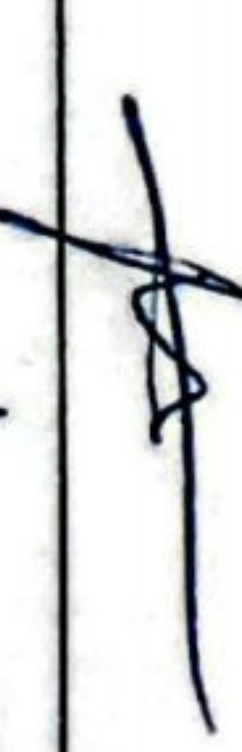







Petition to; NAIROBI COUNTY ENVIRONMENT, NYAYO HOUSE

CC/

NEMA HQ'S
OCPD. KILIMANI

Petition summary and background	We, the residence of Prit Lane Court 2, Ndemi Road, are filing a petition because of the incredible noise disturbance by the following adjacent club (Oyster Bay) throughout the week especially at night.
Action petitioned for	The mentioned premises should be ordered to stop immediately because it's causing us sleepless nights and would result to health hazards if prolonged.

Printed Name	Signature	Address	Comment	Date
JOHN G. MSAFAREI		Box 25294-00603 NAIROBI	I SUPPORT THE PETITION	30/9/22
JOSEPH K. KARUKU		Box 53528-00202 NBI	I support the petition	30.09.22
Louisa Ogutu		Box 21853-00505 Nairobi	I support this petition	30/9/2022
Salim Sumari			I support the petition	30/09/22
JOSEPH MBERO		N/A	I support	30/09/22
George Gyha		Box 4029 00100 Nairobi.	I support the petition	30/09/22
JOSEPH		Box 70553-00505	I support	30/9/22
Ann Kariuki		Box 21170-0100 NBI	I support	30/9/22
Dennis Kongs		N/A	I support found house coming from Oyster Bay causing speaking up my kids. I support.	30/09/2022





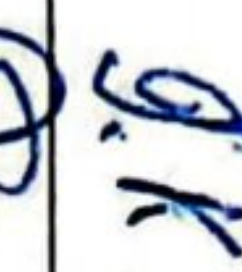




Printed Name	Signature	Address	Comment	Date
Sabane Mwaura		5255-0010, NRB	1 support the petition	30/9/22
Mzambu Mosi		525, 00110 NRB	1 support the petition	30/9/22
Phylis Akili			1 support	30/9/22
Art Rick Kemsilo		42332-00100 NRB	support	30/9/22
Sheila Bruekens		Refuge Court 2	1 support the petition	30/09/2022
Amari Kemsilo		61001-00000 NRB	1 support	30/9/22
Simon M. Mwangi		12434-00100 NRB	1 support the petition	30/9/22
Joe Henry			1 am in support	30/9/22
Joe Henry		1461	1 support	30/9/22
NJAGI Kaura		87313	1 support	30/9/22
Joseph Njohani		104209-00101 NRB	100% NO SLIP	30/9/22
Paul Mwangi		886-00100 NRB	1 support	30/9/22
MARGARET KEMUKU		74754-00100 NRB	1 support	30/9/22
Peter Kagal		12399-00100 NRB	1 support	1/10/2022
ANDET BORANI		5298-0100 NRB	1 concure	1/10/2022
Johnson Mwangi		25684-00603 NRB	1 support petition	01/10/2022

Petition to; NAIROBI COUNTY ENVIRONMENT, NYAYO HOUSE

CC/

**NEMA HQ'S
OCPD. KILIMANI**

Petition summary and background	We, the residence of Millers Court along Ndemi Road are filing a petition because of the incredible noise disturbance by the following adjacent club (Oyster Bay) throughout the week especially at night.
Action petitioned for	The mentioned premises should be ordered to stop immediately because it's causing us sleepless nights and would result to health hazards if prolonged.

Printed Name	Signature	Address	Comment	Date
Felix Kareiru		P.O. Box 5109-00506 NRB	1 Support	29/09/2022
Juliet X. Omboka.		P.O. Box 51100-00100 NRB	"	30/09/2022
Frederic Mwangi		P.O. Box 6398-00200	"	30/09/2022
DR MABELLO Kibunjia		P.O. Box 16286-50100	"	30/09/2022
Galina Seba		P.O. Box 22800505	"	30/09/22
Shadrack Mapiya		P.O. Box 22800505	"	30/09/22
DR. Edwin Mwendu		P.O. Box 55044-00200	"	30/09/2022
William Kibende		P.O. Box 21507-00505 NRB	"	30/09/22.
MUSHA Kilonzo		P.O. Box 59839 NRB	"	30/09/2022

