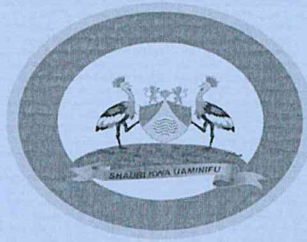


COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

(FOURTH SESSION)



[PUBLIC PETITION PURSUANT TO STANDING ORDER 213]

PUBLIC PETITION BY UTHIRU/RUTHIMITU RESIDENTS ON THE UNREGULATED PROLIFERATION OF LIQUOR OUTLETS IN UTHIRU/RUTHIMITU WARD WITHIN NAIROBI CITY COUNTY.

WE THE UNDERSIGNED Citizens of Kenya who are residents of Uthiru/Ruthimitu Ward within Nairobi City County;

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

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County governments in the county assembly;

THAT Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 vests the function and powers of the county cultural activities, public entertainment and public amenities including liquor licensing in the County Government;

THAT, Article 43(1)(a) of the Constitution of Kenya, 2010 guarantees every person the right to the highest attainable standard of health;

THAT, Article 174 promotes democratic and accountable exercise of power at the local level, including the protection and promotion of the interests of communities;

THAT, Section 15 of the County Governments Act, 2012 provides for petitions to the County Assembly by members of the public or elected representatives;

PUBLIC PETITION BY UTHIRU/RUTHIMITU RESIDENTS ON THE UNREGULATED PROLIFERATION OF LIQUOR OUTLETS IN UTHIRU/RUTHIMITU WARD WITHIN NAIROBI CITY COUNTY.

THAT WHEREAS, Section 102 and 113 of the County Governments Act, 2012 promote citizen participation in the planning and delivery of public services and require that decisions made by the county reflect public input;

THAT, Section 12 of the Nairobi City County Alcoholic Drinks Control and Licensing Act, 2014 prohibits the licensing of outlets located within a specified radius from schools, residential areas, and places of worship;

THAT, Section 22 mandates proper control and monitoring of liquor licensing and consumption;

THAT, over the past several months, there has been an alarming increase in the number of liquor-selling establishments within the Uthiru/Ruthimitu Ward, including bars, wine and spirit shops, and other outlets. Many of these are situated merely a few meters apart, with minimal regard for zoning regulations, residential proximity, or community welfare;

THAT, as a result, alcohol has become excessively accessible, leading to increased consumption among residents-including minors and the unemployed-contributing to antisocial behaviour, rising crime, domestic unrest, and, most distressingly, several recent deaths attributed to alcohol abuse within the ward;

THAT, more than five residents have reportedly lost their lives due to alcohol-related complications in the recent months. Many others continue to suffer from addiction, deterioration, and related illnesses;

THAT, the said businesses have led to violation of Licensing and Zoning Laws where many of these liquor joints are operating in violation of the Nairobi City County Alcoholic Drinks Control and Licensing Act, 2014, with some establishments lacking proper licenses or operating too close to schools, places of worship, and residential homes;

THAT, it has led to social disruption whereby the high concentration of liquor outlets has fuelled public disorder, youth delinquency, and the breakdown of family units;

THAT, this has led to public nuisance and insecurity where open and early-morning drinking has led to increased loitering, noise pollution, and insecurity within the neighbourhoods;

THAT WHEREAS, petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all the matters in which the petition is raised are not pending before any court of Law or Constitutional Body.

NOW THEREFORE, your humble petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensures that: -

- a. The City County Government through the Nairobi Liquor Licensing and Control Sub- Sector initiates an immediate audit and mapping of all licensed and unlicensed liquor-selling establishments in the Uthiru/Ruthimitu Ward;
- b. The City County Government enforces Zoning Laws through implementing and regulating minimum allowable distance between liquor joints and schools, places of worship, and residential homes, as provided in the Alcoholic Drinks Control and Licensing Act,2014;
- c. The City County Government suspends and revokes all illegal licenses of operators operating in contravention of legal and zoning guidelines;
- d. The City County Government to impose a temporary moratorium by recommending and freezing issuing of new liquor licenses in the Ward until a comprehensive framework is adopted; and
- e. The City County Government to conduct public sensitization and establish County led alcohol addiction rehabilitation programs and public awareness campaigns targeting youths and vulnerable groups.

And your Petitioners will forever pray.

Presented by;

Hon.Peter Maina, MCA.

On behalf of;

- Uthiru/Ruthimitu Ward Residents.

And by extension;

PUBLIC PETITION BY UTHIRU/RUTHIMITU RESIDENTS ON THE UNREGULATED PROLIFERATION OF LIQUOR OUTLETS IN UTHIRU/RUTHIMITU WARD WITHIN NAIROBI CITY COUNTY.

- All residents of Nairobi County.