



COUNTY GOVERNMENT OF NAIROBI CITY
SECOND ASSEMBLY – (SECOND SESSION)
NAIROBI CITY COUNTY ASSEMBLY
VOTES AND PROCEEDINGS
THURSDAY, AUGUST 2ND , 2018

1. The Assembly assembled at 2.49 O'clock.
2. The Proceedings were opened with Prayer.
3. **STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)**

Pursuant to Standing Order 45 (2) (c) the following request to statements was made:-

1. Hon. David Mberia requested for a statement from the Chairperson of the Justice and legal Affairs regarding the alleged unethical conduct and racial discrimination by Ms.Chandarana chain of supermarkets I their operation in Nairobi County;

4. COMMITTEE OF THE WHOLE ASSEMBLY IN THE COMMITTEE

Order for Committee of the Whole Assembly read;

IN THE COMMITTEE

(Hon. Antony Kimemia Gathumbi, MCA in the Chair)

The Nairobi City County Outdoor Advertising and Signage Control and Regulation Bill, 2018 (Bill No. 3 of 2018)

Clause 1 amendments proposed

THAT Clause 1 of the Bill be amended:-

- (i) By deleting the word **“2016”** appearing in the short title and substituting therefor the word **“2018”**

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 1 as amended be part of the Bill proposed, put and agreed to

Clause 2 amendments proposed

THAT Clause 2 of the Bill be amended:-

- (i) In the definition of the word **“area of maximum control”** by deleting the definition in its entirety
- (ii) In the definition of the word **“area of minimum control”** by deleting the definition in its entirety
- (iii) In the definition of the word **“area of partial control”** by deleting the definition in its entirety
- (iv) By inserting the following new definitions in their proper alphabetical sequence:-

“Committee” means the Urban Planning Technical Committee as established under Section 4(1) of the Act.”

“Department” means the Urban Planning Department

“outdoor advertising” means the display of any advertisement in or in view of any public road within the jurisdiction of the County.

“public place” means a bridge, subway, a square, an open space and any other commonly used area by the public and which is vested in the County under the Law.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 2 as amended be part of the Bill proposed, put and agreed to

Clause 3 amendments proposed

THAT Clause 3 of the Bill be amended:-

- (i) In sub clause 3 by deleting the entire sub clause and substituting therefor the following new sub clause.

“3A” The owner of an advertising sign and any person who has applied for approval of an advertising sign under this Act shall comply with the provisions of this Act relating to that sign and shall be held solely responsible for the compliance requirements which include but not limited to payment of any requisite fees and the safety of the sign subject to any provisions stipulated in this Act.”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 3 as amended be part of the Bill proposed, put and agreed to

NEW CLAUSE

THAT Clause 3 be amended by inserting the following new clause 3A immediately after Clause 3:

Urban Planning Technical Committee

3A (1) There is established the Urban Planning Technical Committee.

3A (2) The County Executive Committee Member shall be responsible for establishing and appointing members to the committee.

3A (3) The Committee shall comprise of following persons;

- (a) chief officer in charge of urban planning**
- (b) Director of development management**
- (c) Director of urban policy and research**
- (d) Director of planning compliance and enforcement**
- (e) County director of survey**
- (f) County director of roads**
- (g) Engineer in charge of structural section**
- (h) One Public health officer**
- (i) Director environment**
- (j) A Representative of the Kenya Institute of Planners**
- (k) A representative from the Town and County planners Association of Kenya**
- (l) A representative of the Institute of Engineers**
- (m) Representative of the National Environmental Management Authority;**
- (n) A representative from the Architectural Association of Kenya**
- (o) a representative from the Outdoor Association of Kenya**

Motion made and question proposed;

That new Clause 3A be read a second time

(Hon. Anthony Kiragu Karanja)

Question put that New Clause 3A be part of the Bill proposed, put and agreed to

Clause 4

amendments proposed

THAT Clause 4 of the Bill be amended:-

- (ii) By inserting the Title **PART II – MANAGEMENT AND REGULATION OF OUTDOOR ADVERTISMENT** immediately before Clause 4.

- (iii) In the marginal note by deleting the expression “**executive committee member**” and substituting therefor the words “**Urban Planning Technical Committee**”
- (iv) In sub clause 1 by deleting the words “**executive committee member**” appearing immediately before the word “shall” and substituting therefor the words “**Urban Planning Technical Committee**”
- (v) In sub clause (1) paragraph (b) by inserting the expression “**deliberate**” immediately after the word “**receive**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 4 as amended be part of the Bill proposed, put and agreed to

Clause 5

amendments proposed

THAT Clause 5 of the Bill be amended by deleting the Clause in its entirety and substituting therefor the following new Clause 5A:-

- 5 A(1) A person who wishes to engage in outdoor advertising shall make an application for a license to the Committee or the Department.**
- 5A(2) An application for registration shall be in the prescribed form and shall be accompanied by-**
- (a) **the prescribed fee;**
 - (b) **the written consent of the owner of the site or any other person with an interest in the site entitled to give consent;** (c) **a copy of the title deed or any other document evidencing ownership of the property upon which the proposed advertisement is to be displayed;**
 - (d) **locality plan which shall include the Global Positioning System Co-ordinates of the advertising sign;**
 - (e) **a block plan of the property upon which an advertising sign is to be erected, drawn to a scale acceptable to the committee-**
 - (i) **showing every building line and servitude on the site;**
 - (ii) **the position and dimensions of the advertising sign in relation to the two boundaries of the property closest to the proposed advertising sign; and**
 - (iii) **the location of any public street or any building on a property adjacent to the property upon which such sign is to be erected;**
 - (f) **an artistic impression showing all the detail, location and measurements of the proposed advertising sign;**

- (g) a diagram of the property indicating the position of the proposed advertisement in relation to other free-standing advertisements and the closest two boundaries of the property; and;
- (h) proof of compliance with any other law, including but not limited to the Environmental Management and Coordination Act, Kenya Roads Act, Revised, 2007, to the extent that such law is applicable in respect of the application concerned.;
- (i) any other information which the committee may require.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 5 as amended be part of the Bill proposed, put and agreed to

Clause 6

amendments proposed

THAT Clause 6 of the Bill be amended:

- (i) By deleting the expression **“County executive committee member”** wherever it appears and substituting therefor the expression **“Committee”**
- (ii) In sub clause (3) by deleting the word **“five”** appearing immediately before the word “years” and substituting therefor the word **“three”**
- (iii) In sub clause (6) by inserting the expression **“or location”** appearing immediately after the word **“property”**
- (iv) In sub clause (7) by deleting the word **“six”** appearing immediately before the word “months” and substituting therefor the word **“three”**.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 6 as amended be part of the Bill proposed, put and agreed to

Clause 7

amendments proposed

THAT Clause 7 of the Bill be amended:

- (i) By deleting the expression **“county executive committee member”** wherever it appears and substituting therefor the expression **“Committee”**

- (ii) In sub clause (2) by deleting the word “**twenty-one**” appearing immediately before the word “**days**” and substituting therefor the word “**seven**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 7 as amended be part of the Bill proposed, put and agreed to

Clause 8 amendments proposed

THAT Clause 8 of the Bill be amended:

- (I) By deleting sub clause (2) in its entirety and substituting therefor the following:

8(2) A “Any advertisement sign on a public street or facing a public street, including advertising signs facing a road, shall comply with the following requirements-

Except for street light poles and on-premises advertising signs, the following distances shall be maintained between structures:

- (a) A minimum distance of 150m shall be maintained between two advertising signs erected on private properties on the same side of the [public street;**
- (b) A minimum distance of 500m shall be maintained between two advertising signs erected on road reserve on the same side of the public street;**
- (c) A minimum distance of 250m shall be maintained between two advertising signs erected on private property and road reserve on the same side of the public street;**

In case of any conflict or dispute the billboard on private property shall take priority.”

- (II) In sub clause 3, by deleting paragraph (a) in its entirety.
- (III) In sub clause 3, sub paragraph (i) by deleting the word “**50m**” appearing immediately before the word “radius” and substituting therefor the word “**5m**”
- (IV) In sub clause 6 by deleting the words “**County Executive Committee Member**” and substituting therefor the word “**Committee**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed
Question put and agreed to

Question that Clause 8 as amended be part of the Bill proposed, put
and agreed to

Clause 9 amendments proposed

THAT Clause 9 of the Bill be amended by deleting the Clause in its entirety.

(Hon. Anthony Kiragu Karanja)
Question of the amendment proposed
Question put and agreed to

Question that Clause 9 as amended be part of the Bill proposed, put
and agreed to

Clause 10 amendments proposed

THAT Clause 10 of the Bill be amended:

- (i) In sub clause (1) by deleting paragraphs (b),(c), (g) and (h) in their entirety;
- (ii) By inserting new sub clauses immediately after sub clause 10 (1) (j) as follows:-

“jA” a sign not exceeding 2m2 specifying the name and profession or occupation of an occupant of the property concerned attached to a boundary wall or fence, or the entrance door of a residential building”

“jB” the display of the name, corporate symbol and nature of any enterprise.”

(Hon. Anthony Kiragu Karanja)
Question of the amendment proposed
Question put and agreed to

Question that Clause 10 as amended be part of the Bill proposed, put
and agreed to

Clause 11 amendments proposed

THAT Clause 11 of the Bill be amended:

- (i) By deleting the Clause 11 in its entirety and substituting therefor the following new clause:

“11 The following signs may not be displayed or caused to be displayed:

- (a) walking poster;**
- (b) a swinging sign;**
- (c) a sign painted on, attached to, or fixed between the columns or posts of a veranda;**
- (d) an animated or flashing sign, the frequency or the animation's or flashes or other intermittent alterations of which disturbs the residents or occupants of any building or is a source of nuisance to the public;**
- (e) a sign displayed on land not in accordance with the relevant zoning or consent use as per the applicable Town-planning Scheme and or approved County Integrated Spatial Plan [CISP];**
- (f) a sign painted on a boundary wall or fence in an urban area of maximum control and a rural area of maximum control;**
- (g) an advertising sign, which is suggestive of anything indecent or which may prejudice the public morals;**
- (h) a poster pasted onto supporting columns, walls, pillars or any poster pasted otherwise than on a hoarding legally erected for the purpose of accommodating such poster; and**
- (i) a permanent sign of which the maximum display period has expired;**

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 11 as amended be part of the Bill proposed, put and agreed to

Clause 12

amendment proposed

THAT Clause 12 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 13

amendment proposed

THAT Clause 13 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 14 amendment proposed

THAT Clause 14 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 15 amendment proposed

THAT Clause 15 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 16 amendment proposed

THAT Clause 16 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 18 amendments proposed

THAT Clause 18 of the Bill be amended as follows:-

- (i) By deleting the expression “**county executive committee member**” wherever it appears and substituting therefor the expression “**Committee**”
- (ii) by deleting sub clauses (3) , (4) and (5) in their entirety.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 18 as amended be part of the Bill proposed, put and agreed to

NEW CLAUSE

THAT the following new Clause 18A be inserted immediately after Clause 18 as follows:-

| | | |
|--|--|----------------------|
| <p>Signs on Road reserves</p> | <p>18A An owner of an advertising sign located on a road reserve shall comply with the provisions of Section 5 of this Act on application and payment of the requisite fees.”</p> | <p>Clause</p> |
|--|--|----------------------|

*Motion made and question proposed;
That new Clause 18A be read a second time
(Hon. Anthony Kiragu Karanja)*

Question put that New Clause 18A be part of the Bill proposed, put and agreed to

Clause 19 amendment proposed

THAT Clause 19 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 20 amendments proposed

THAT Clause 20 of the Bill be amended:

- (i) By deleting the expression “**County executive committee member**” wherever it appears and substituting therefor the expression “**Committee**”
- (ii) by deleting paragraph (c) in its entirety

*(Hon. Anthony Kiragu Karanja)
Question of the amendment proposed
Question put and agreed to*

Question that Clause 20 as amended be part of the Bill proposed, put and agreed to

Clause 21 amendment proposed

THAT Clause 21 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 22 amendment proposed

THAT Clause 22 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 23 amendment proposed

THAT Clause 23 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 24 amendment proposed

THAT Clause 24 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 25 amendments proposed

THAT Clause 25 of the Bill be amended:

- (i) in sub clause (1) by deleting the expression “**the approval of county executive committee**” and substituting therefor the expression “**the rigorous process of approval by the Committee**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 25 as amended be part of the Bill proposed, put and agreed to

Clause 26 amendment proposed

THAT Clause 26 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 27 amendment proposed

THAT Clause 27 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 28 amendments proposed

THAT Clause 28 of the Bill be amended

- (i) by deleting the expression **“county executive committee member”** wherever it appears and substituting therefor the expression **“Committee”**
- (ii) by deleting sub clause (2) in its entirety.
- (iii) In sub clause (4) by deleting the expression **“executive committee member for a period of thirty days from the date of impoundment”** appearing immediately before the expression **“and an authorized”**

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 28 as amended be part of the Bill proposed, put and agreed to

Clause 29 amendments proposed

THAT Clause 29 of the Bill be amended

- (i) In sub clause (1) by deleting the words **“County executive committee member”** and substituting therefor the word **“Committee”**
- (ii) In sub clause (4) by deleting the words **“County executive committee member”** and substituting therefor the word **“Department”**

- (iii) In sub clause (6) paragraph (d) by deleting the words “**County executive committee member**” and substituting therefor the word “**Committee**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 29 as amended be part of the Bill proposed, put and agreed to

Clause 30

amendments proposed

THAT Clause 30 of the Bill be amended-

- (i) In sub clause 1 paragraph (e) by deleting the words “**County executive committee member**” and substituting therefor the word “**Department**”

- (ii) “by deleting sub clause (2) and (3) in their entirety.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 30 as amended be part of the Bill proposed, put and agreed to

Clause 31

amendments proposed

THAT Clause 31 of the Bill be amended by deleting the Clause in its entirety and substituting therefor the following new Clause 31A-

“31 A (1) Maintenance of signs and their structures is the sole responsibility of the person who displays the sign and should the county government carry out any maintenance work as result of poorly maintained signs being attached, the county government shall claim the cost of such repairs from the person who displays the sign.

(2) The person displaying the sign shall issue annual maintenance reports to the Department in compliance with sub section (1)

(3) A sign must –

- (a) **where possible, be located at a height that discourages vandalism;**
- (b) **be serviced, cleaned and repainted on a regular basis; and be maintained in good repair and in a safe and proper condition**

according to the highest standards as regards quality of structures, posting and sign-writing.”

*Motion made and question proposed;
That new Clause 31A be read a second time
(Hon. Anthony Kiragu Karanja)*

*Question put that New Clause 31A be part of the Bill proposed, put and
agreed to*

Clause 32

amendments proposed

THAT Clause 32 of the Bill be amended-

- (i) By deleting the marginal note in its entirety and substituting therefor the following new marginal note-

“Notice of compliance, removal, confiscation and destruction of signs”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 32 as amended be part of the Bill proposed, put and agreed to

- (ii) by deleting the Clause in its entirety and substituting therefor the following new Clause 32A

“32” A (1) The county government may serve a notice of compliance on the owner of a sign to remove or alter any sign within 30 days or to do such work as may be specified in the notice or cover or cause the sign to be covered completely so as to conceal its contents, if the sign which is displayed is unauthorized, or does not conform or comply with a condition imposed in the Act, the Physical Planning Act or any other relevant national planning statute.

(2) If a person fails to comply with a notice served by the county government on him or her, the county government may enter upon the land upon which the sign to which the notice relates, is being displayed and remove, confiscate, and or destroy the sign.

(3) The county government may, without prior notice remove, confiscate, and destroy any sign if the sign constitutes a danger to life or property, or is objectionable, or if one or more of the provisions of this Act is contravened.

(4)Costs that are incurred by the county government upon removal, confiscation or destruction of a sign, may be recovered

from the person on whom the notice was served, or if a deposit has been paid in respect of the sign.

(5)The committee from time to time by way of resolution may determine the penalty costs when the county government removes a sign that is in contravention of the provisions of this Act.

*Motion made and question proposed;
That new Clause 32A be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Clause 32A be part of the Bill proposed, put and agreed to

Clause 33

amendments proposed

THAT Clause 33 of the Bill be amended by deleting the Clause in its entirety and substituting therefor the following new Clause:-

“33A”The owner of a property upon which a sign or an advertising sign is erected, attached or displayed, shall retain certified copies of all documentation relating to the application and approval of such sign under this Act, for as long as that sign is erected or displayed, and shall on request by an authorized official, present such documentation.”

*Motion made and question proposed;
That new Clause 32A be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Clause 32A be part of the Bill proposed, put and agreed to

Clause 34

amendment proposed

THAT Clause 34 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 35 amendment proposed

THAT Clause 35 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 36 amendment proposed

THAT Clause 36 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 37 amendment proposed

THAT Clause 37 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 38 amendments proposed

THAT Clause 38 of the Bill be amended by deleting the Clause in its entirety and substituting therefor the following new Clause 38 A:-

“38A ” (1) A notice or other document requiring authentication by the county government must be signed by a duly authorized officer of the county government, and when issued by the county government under this Act, shall be deemed to be duly issued if it is signed by an officer authorized by the county government.

(2) Any notice or other document that is served on a person in terms of this Act is regarded as having been served;

(a) when it has been delivered to that person personally;

(b) when it has been left at that person’s place of residence or business within the Republic

(c) when it has been posted by registered or certified mail to that person’s last known residential or business address in the

Republic and an acknowledgment of the posting thereof from the postal service is obtained;

(d) if that person’s address in the Republic is unknown, when it has been served on that person’s agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c)”

*Motion made and question proposed;
That new Clause 38A be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Clause 38A be part of the Bill proposed, put and agreed to

Clause 39 amendments proposed

THAT Clause 39 of the Bill be amended-

- (i) In the marginal note by inserting the word “**and Enforcement**” immediately after the word “**Inspection**”
- (j) by inserting the words “**and enforcement**” immediately after the word “**inspection**”.

*(Hon. Anthony Kiragu Karanja)
Question of the amendment proposed
Question put and agreed to*

Question that Clause 39 as amended be part of the Bill proposed, put and agreed to

Clause 40 amendment proposed

THAT Clause 40 of the Bill deleted in its entirety.

Question of the amendment proposed

Question put and agreed to

Clause 41 amendments proposed

THAT Clause 41 of the Bill be amended:-

- I. In sub clause (2) by deleting the expression “**reasonable time**” appearing immediately after the word “thereon” and substituting therefor the expression “**period of seven (7) days**”

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 41 as amended be part of the Bill proposed, put and agreed to

Clause 42

amendments proposed

THAT Clause 42 of the Bill be amended-

- (i) In paragraph (g) sub paragraph (i) by deleting the word **“two”** appearing immediately before the word “hundred” and substituting therefor the word **“one”**
- (ii) By deleting sub paragraph (ii) in its entirety.

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 42 as amended be part of the Bill proposed, put and agreed to

Clause 44

amendments proposed

THAT Clause 44 of the Bill be amended-

- I. By deleting the expression, **“or agency contracted by the county government”** appearing immediately before the expression, **“officer of the county”**

(Hon. Anthony Kiragu Karanja)

Question of the amendment proposed

Question put and agreed to

Question that Clause 44 as amended be part of the Bill proposed, put and agreed to

NEW CLAUSE

THAT the following new clause be inserted immediately after Clause 43A:

Transition43A (1) Any person who was authorized to display a sign on the basis of an approval license granted by the County Government before the coming into force of this Act shall make a fresh application to the Committee upon expiry of the license currently in possession.

(2) Where an advertising sign has been erected or displayed before the date of commencement of this Act without formal approval, which in terms of this Act may not be erected or displayed without the approval of the County Government, the owner of the advertisement or advertising sign must apply to the County Government for approval from the date of commencement of this Act, failure to which the advertisement or advertising sign shall be removed forthwith provided that any existing advertising sign with formal County approval shall not be subject to the provisions of this Act.

(3) The County Government shall publish a notice in two local newspapers circulating within its area of jurisdiction calling for compliance with the provisions of this law.

*Motion made and question proposed;
That new Clause 43A be read a second
time
(Hon. Anthony Kiragu Karanja)*

*Question put that New Clause 43A be
part of the Bill proposed, put
and agreed to*

NEW SCHEDULES

THAT the following new schedules be inserted immediately after Clause 45 as follows:

SCHEDULE ONE:**Large Billboards:**

1. **May be displayed subject to specific consent.**
2. **The following additional conditions apply to large billboards:**
 - (a) **an advertisement consisting of a single board must be displayed perpendicular to or at an angle of up to 30 degrees to the direction of oncoming traffic;**
 - (b) **where two billboards are joined together, the sign must be displayed with the axis of symmetry perpendicular with the direction of oncoming traffic;**
 - (c) **no billboard may be displayed within a radius of 5 meters from the center of an intersection on an arterial road and within 5 meters from the center of an intersection on any lower-order road.**
 - (d) **every owner of a billboard must conspicuously display the name of their company on the billboard erected.**
3. **A sign must be placed on a base, which has been designed and erected in accordance with conditions which the County Government may impose in terms of the Act or *any other written law.***
4. **The county government may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.**
5. **Maintenance should be done on a continuing basis and a maintenance report should be submitted to the county government once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.**

Motion made and question proposed;

That new Schedule One be read a second time

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule One be part of the Bill proposed, put and agreed to

SCHEDULE TWO:**Small Billboards and Tower Structures -**

1. A tower structure provided in a larger pedestrian area may be used only as a focal point, and must be of a high visual standard and must harmonize with the surrounding buildings and streetscape.
2. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the county government may impose under the Act.
3. The county government may grant approval for the display of a sign for a period ranging from one to three years, but may not grant approval for an indefinite period.
4. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the County Government once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

*Motion made and question proposed;
That new Schedule Two be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Two be part of the Bill proposed, put and agreed to

SCHEDULE THREE

Large Posters and signs on street furniture.

1. The following specifications are applicable to litterbins inside road reserves, on municipal property and on other public open spaces:
 - (a) Litterbins may only be placed on a suitably prepared concrete or paved footing and must be adequately secured to prevent it from being blown over by winds with speed of up to 30km/s.
 - (b) Litterbins may not be placed on traffic islands.
 - (c) Approval of the site does not grant the applicant an indefinite right to advertise on the particular site.
 - (d) Advertising periods are as determined by the county government from time to time and the applicant must ensure that he or she ascertains such periods from the County Government.
 - (e) Litterbins may not be located closer than 1 meter from the edge of a public road.
- (3) Display of a standardized pole-mounted poster is allowed only if it does not have a negative visual impact on the character of an area.
- (4) Creative and visually pleasant structures may be used for displaying large posters in road reserves in order to make a positive contribution to streetscaping.

*Motion made and question proposed;
That new Schedule Three be read a second time*

(Hon. Anthony Kiragu Karanja)

*Question put that New Schedule Three be part of the Bill proposed, put
and agreed to*

SCHEDULE FOUR:

Signs Painted on Walls and roofs

- 1. A sign be displayed in an urban area of partial control and an urban area of minimum control only.**
- 2. Display of a sign is subject to specific consent.**
- 3. A sign painted onto the facade or roof of a building may not exceed 20 percent of the ground floor facade of the enterprise to which such sign pertains**
- 4. The total area of all signs painted onto the sidewalls of a building may not exceed 30 square metres, or not more than one third of the surface area of the wall, whichever is lesser and the actual size of a sign will depend on the size of the sidewall concerned and on other factors, such as the character and appearance of the building and the streetscape as a whole.**
- 5. No specific limitations are imposed on the colour or texture of a sign.**
- 6. Signs in this class may only be painted on the main walls or roof of a building used for commercial, office, industrial or entertainment purposes.**

*Motion made and question proposed;
That new Schedule Four be read a second time*

(Hon. Anthony Kiragu Karanja)

*Question put that New Schedule Four be part of the Bill proposed, put
and agreed to*

SCHEDULE FIVE:

Functional advertising signs by public bodies

- 1. Subject to the provisions of this Act, such signs be displayed in all areas of control.**
- 2. The Display of such signs is subject to deemed consent.**
- 3. A sign under this category may not exceed 0.55 square meters in size.**

4. A larger sign may be displayed, if justified by specific circumstances.
5. A sign permitted by this class may be displayed inside a road reserve, but may not be displayed on a freeway.
6. Subject to the provisions of the Act, illumination may be provided if there is a need for information or directions to be read during hours of darkness.
7. A sign under this class may not be used for the purposes of commercial and competitive advertising.
8. The logo of the service provider must be displayed on a sign.

*Motion made and question proposed;
That new Schedule Five be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Five be part of the Bill proposed, put and agreed to

SCHEDULE SIX

Signs suspended under verandahs and canopies

1. Any advertising sign which is suspended under a veranda or a canopy, shall comply with the following requirements—
 - (a) Unless otherwise approved under this Act, such sign shall be fixed with its face at right angles to a boundary of a public street on which the property concerned fronts;
 - (b) no part of such sign may project beyond the outer edge of the veranda or canopy from which it is suspended;
 - (c) such sign shall have a clear height of at least 2.75m;
 - (d) the top of such sign may not be more than 1m below the canopy or veranda from which it is suspended or more than exceed 1m in thickness;
 - (e) unless otherwise approved under this Act, the bottom edge of such sign when suspended shall be horizontal and the supports by means of which it is suspended shall be an integral part of the design of such sign.

*Motion made and question proposed;
That new Schedule Six be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Six be part of the Bill proposed, put and agreed to

SCHEDULE SEVEN:

Signs suspended under verandahs and canopies over public streets

1. Any advertising sign affixed to or onto a veranda or canopy which extends over a public street—
 - (a) shall be set parallel to the building line on the property concerned;
 - (b) may not exceed 600mm in vertical dimension; and
 - (c) shall be attached immediately above the eaves of a veranda or canopy roof in such a manner that it does not project beyond the rear of the roof gutter or must be fixed against but not extending above or below the veranda parapet or balustrade in such manner that it projects more than 230mm from the outside face of such parapet or balustrade
2. An advertising sign on a building in which public entertainment is presented, attached to a veranda or canopy extending over a public street and which displays only the features or programmes of the entertainment to be presented in such building, may not exceed –
 - (a) an area of 1m² in the aggregate for every 1.5m or part thereof of the frontage of such building on the public street over which such sign is erected; and
 - (b) 1.2m in height.
3. Nothing in this schedule prohibits the painting of an advertisement on or the display of advertisement not exceeding 600mm in thickness on a beam over.

*Motion made and question proposed;
That new Schedule Seven be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Seven be part of the Bill proposed, put and agreed to

SCHEDULE 8

Sun-blind advertisement

1. An advertisement on any sun-blind exempted under section 10(2), may be displayed without the approval of the Committee, subject to compliance with the following requirements:
 - i. a sun-blind shall be so made and attached to a building that it is incapable of being lowered to a height lower than 2m above the footway or pavement of a public street;

- ii. **except at an intersection, a sun-blind shall be placed parallel to the building line of the property concerned; and**
- iii. **at any intersection a sun-blind must be placed so that it does not cause any interference with or endanger vehicular or pedestrian traffic, or a traffic sign, street nameplate or other notice for the guidance or information of the public**

*Motion made and question proposed;
That new Schedule Eight be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Eight be part of the Bill proposed, put and agreed to

SCHEDULE 9

Advertisement on blimps

1. **A blimp containing an advertisement may, subject to the approval of the Committee under this Act, be used for a period not exceeding twenty-four months.**
2. **The Committee shall, for the purposes of considering an application for approval of an advertisement to be displayed on a blimp, have regard to –**
 - (a) **the period during which the blimp will be used;**
 - (b) **the size of the blimp;**
 - (c) **the strength of the anchorage and the anchoring cable;**
 - (d) **the provision of a device by means of which the blimp will automatically so deflate as to sink slowly to the ground in the event of the failure or severance of the blimp from its anchorage or anchoring cable;**
 - (e) **the possibility of interference with pedestrian or vehicular traffic;**
 - (f) **any requirement or condition prescribed by the Kenya Civil Aviation Authority; including the maximum height to which the blimp shall be restricted; and the location of the blimp.**

*Motion made and question proposed;
That new Schedule Nine be read a second time*

(Hon. Anthony Kiragu Karanja)

Question put that New Schedule Nine be part of the Bill proposed, put and agreed to

SCHEDULE 10**Advertisement on construction sites**

1.

- (a) the zoning of the property concerned in terms of an applicable town planning scheme and the general ambience of the area where the proposed sign is to be displayed;
- (b) the aesthetic effect of the sign on the amenity of the area concerned and its surroundings;
- (c) the area of control set out in this Act, applicable to the property concerned and its surroundings; and
- (d) the distance of the proposed sign from every other approved and existing advertising sign within a radius of 200m.

2. An advertisement specified in 1 above shall only be allowed in an urban area of partial or minimum control and—

- (a) may only be permitted on scaffolding which is against a building under construction or on a hoarding, fence or wall on the boundary of a construction site which has been erected to enclose that site during construction;
- (b) may only be erected if it will conceal an unsightly condition arising out of the use to which the property concerned is put and if such sign shall make a positive contribution to the visual environment; and
- (c) may not be placed on the top of a boundary fence or wall unless it is positioned so that there is no gap between the advertisement and the wall or fence.

*Motion made and question proposed;**That new Schedule Ten be read a second time**(Hon. Anthony Kiragu Karanja)**Question put that New Schedule Ten be part of the Bill proposed, put and agreed to***8. ASSEMBLY RESUMED:-****The Nairobi City County Outdoor Advertising and Signage Control and Regulation Bill, 2018 (Bill No. 3 of 2018)**

Bill was reported with amendments

Motion made and Question proposed:-

THAT, the Assembly do agree with the Committee of the Whole Assembly in the said report.*(Antony Kimemia Gathumbi, MCA)*

9. THIRD READING:-

The Nairobi City County Outdoor Advertising and Signage Control and Regulation Bill, 2018 (Bill No. 3 of 2018)

Question put and agreed to.

Motion made and question proposed-

THAT, The Nairobi City County Outdoor Advertising and Signage Control and Regulation Bill, 2018 (Bill No. 3 of 2018) be now read a Third Time.

(Antony Kimemia Gathumbi, *MCA*)

Question put and agreed to.

Bill read a Third Time and passed.

10. ASSEMBLY ROSE - at two minutes past five O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, August 7th, 2018, at 2.30p.m

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