



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – FIFTH SESSION

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 14TH, 2021 AT 2:30 PM

1. The Assembly assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE COUNTY ASSEMBLY-

The presiding Chairperson (Hon. Emily Oduor, MCA) having confirmed that there was no Quorum caused the bell to be rung for ten minutes.

There being Quorum at the expiry of the five minutes, the presiding Chair called the Assembly to order.

3. PAPERS LAID

The following paper was laid on the table of the Assembly:-

**I. THE NAIROBI CITY COUNTY SESSIONAL PAPER NO.3 OF 2021
ON LAND USE POLICY.**

(Hon. Peter Wanyoike, MCA)

4. NOTICES OF MOTION

The following Notices of Motion were given:

- a) **THAT**, aware that Article 43(1) of the Constitution of Kenya 2010, provides inter alia that: every person has the right to the highest attainable standard of health which includes the right to health care services, including reproductive health care; further aware that Part 2, Paragraphs 2 of the Fourth Schedule of the same Constitution provides for county health services including but not limited to the promotion of primary Health care as devolved functions for execution by the County; disturbed that prevalence of infectious diseases such as HIV and AIDS, hepatitis, sexually transmitted infections (STI), tuberculosis among other infectious diseases are a significant burden to the country and county's health system and its overall prosperity; noting the need

for the county government to develop strategic measures to mitigate the spread of infectious diseases in the county, and conduct sensitization towards the creation of public awareness for its mitigation; further noting the need for promotion and provision for psychosocial support, treatment and rehabilitation of persons with problematic drugs use, their families, caregivers, dependents and the community in general; now, therefore, this Assembly urges the Nairobi Metropolitan Service in conjunction with the County Executive to develop a county harm and infectious disease reduction policy in conformance with the existing national policies on infectious diseases.

(Hon. Peter Wanyoike, MCA)

- b) **THAT**, aware that Part 2 of the Fourth Schedule to the Constitution provides for firefighting services and disaster management as a function of the County Governments: deeply concerned that there are increasingly numerous cases of fire outbreaks, particularly affecting informal settlements across the county; noting that these fire outbreaks have caused heavy losses for residents, some of whom have had these incidents affect them repeatedly; recognizing that if the County Executive were to take measures to ensure fire safety precautions are taken in all market and informal settlements it would help curb the scope of damage caused by the repetitive fires since the response will be timely; realizing that these measures include mapping out hot spots across informal settlements and markets where the repetitive fire outbreaks are notorious; convinced that the county can do this by equipping Nyumba Kumi and select volunteers under it, with the necessary facilities such as fire extinguishers to act as first responders in case of fire or other emergency outbreak; this Assembly urges the county executive to urgently take measures to identify, train and equip Nyumba Kumi members and such volunteers under them with the necessary skills and equipment as appropriate to enable them to respond faster to fire and emergencies in Nairobi City County especially the informal settlements where rescue services take longer to respond.

(Hon. Patriciah Mutheu, MCA)

5. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)

Pursuant to Standing Order 45(2) C, the following Member requested for Statement: -

- a) Hon. Jayendra Malde, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the Constant harassment of business owners by the City Inspectorate across the County.. **(Response due in 2 weeks)**

6. MOTION- COUNTY TO SET ASIDE 5% OF BUSINESSES TO PEOPLE LIVING WITH DISABILITIES

Motion moved and Question proposed:-

THAT aware that Article 27 of the Constitution of Kenya 2010 provides the citizens of this country comprehensive quality and freedom from discrimination where every person is equal before the law and has the right to equal protection and benefit of the law. Further aware that Article 56 of the Constitution provides that the state shall put in place affirmative action programmes designed to ensure that minority and marginalized groups are provided special opportunities for access to employment. Concerned that people living with disabilities have not been given priority in the allocation of business space within Nairobi City County. Further concerned that few traders who manage to secure space have faced harassment from county government officers, which has led to protests from such traders. Noting that there are many persons with disabilities with the potential to run businesses effectively without depending on well-wishers across the county government. Acknowledging that Article 27 (6) of the Constitution requires the state to take legislative and other measures including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination. This Assembly urges the County Government to set aside at least 5% of all businesses within the central business district-specific points in the city streets, county markets and trading centres for people living with disabilities and ensure adherence to the provisions of the Constitution, Persons Living with Disabilities Act of 2013 and the Nairobi City County Persons with Disabilities Act 2015 on the rights of persons with disabilities.

Debate ensued

Mover replied

Question put and Agreed to

(Hon. Mary Arivisa, MCA)

There being no other business and the time being twenty five minutes to Four O'clock, the Presiding Chairperson adjourned the Assembly without Question put pursuant to the Standing Orders.

ASSEMBLY ROSE - at twenty five Minutes passed Four O'clock

MEMORANDUM

The Speaker will take the Chair on
Tuesday, 26th October, 2021 at 9:30 am

--x--

