



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, JULY 3RD, 2025 AT 2.30PM

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

QUORUM OF THE ASSEMBLY

The Hon. Speaker (Hon. Kennedy Ng'ondi) having confirmed that there was no Quorum at the commencement of the Assembly caused the bell to be rung for 10 minutes.

After the expiry of 10 minutes the Speaker having confirmed that there was a Quorum called the Assembly to order.

3. MOTION – THE LEADER OF THE MAJORITY PARTY

Subject: Adjournment in accordance with the County Assembly Calendar

Motion Made and Question Proposed;

THAT, pursuant to the provisions of Standing Orders 30(3) and 31(3), this Assembly adjourns until Tuesday, 15th July, 2025 at 2.30 p.m., in accordance with the Calendar of the County Assembly (Regular Sessions).

(Hon. Peter Imwatok, MCA – Majority Leader)

Debate ensued;
Mover replied;
Motion passed.

4. **MOTION – HON. ANTONY MARAGU, MCA**

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

Motion made and question proposed: -

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.

(Hon. Anthony Maragu, MCA)

Debate ensued;

Mover replied; Under Standing Order 104, requested to postpone to a future date the debate on this Motion.

Motion Deferred

And the time being Forty-Five Minutes Past Three O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

5. **ASSEMBLY ROSE** - at Forty-Five minutes past Three O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, July 15th, 2025 at 2.30 p.m.