



**COUNTY GOVERNMENT OF NAIROBI CITY**

**FIRST ASSEMBLY – (THIRD SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, OCTOBER 28, 2015 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 ASSEMBLY**

The Speaker having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being a Quorum at the expiry of the ten minutes, the Speaker called the Assembly to order.

**3. COMMUNICATION FROM THE CHAIR:-**

The Speaker conveyed the following communication;

“Honourable Members,

You will recall that the Chair on two separate occasions has issued communications in which he expressed concern regarding the carrying of offensive weapons into the Chamber.

Specifically, the Chair has before spoken at length regarding the provision of Standing Order 97 which states that-

*“No Member shall bring a firearm or any offensive weapon into the Chamber and any such weapon must be deposited with the Sergeant-at-Arms for safe custody before entering the Chamber, and collected at the time of leaving the Chamber.”*

Honourable Members, a serious breach of this Standing Order which threatened to derail the orderly conduct of business in the Assembly occurred during the afternoon sitting of Thursday 22<sup>nd</sup> October, 2015.

Hon. Members, carrying offensive weapons of any kind into the Chamber is not permitted under any circumstances. The Chair takes this matter seriously and will henceforth impose harsher sanctions on Members who flagrantly breach the Standing Orders and the Chair's direction on this matter.

Hon. Members, take this as a warning. Offensive weapons have no place in the Chamber. Any Member who attempts to sneak in any form of weapon will henceforth do so at his or her own peril. Members will henceforth be subjected to strict and rigorous checks to ensure such breach does not occur again.

The Assembly has now installed a metal detector at the entrance to the Chamber and the Chair has instructed sergeant at arms to strictly enforce checks on Members when entering the Chamber.

Any Member who refuses to be checked for offensive weapons or other articles not permitted in the Chamber will not be allowed entry into the Chamber. This direction applies to Committee meetings as well.

Hon. Members, you have been warned.

It is so directed."

#### **4. PAPERS LAID:-**

The following papers were laid on the table of the Assembly;

- a. THE FIRST QUARTER REPORTS OF THE FINANCIAL YEAR 2015/2016 FROM 1<sup>ST</sup> JULY TO 30<sup>TH</sup> SEPTEMBER, 2015.

*(The Leader of the Majority Party)*

- b. THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY FOR THE SIXTEEN (16) MONTHS PERIOD ENDED 30<sup>TH</sup> JUNE, 2014.

*(Chairperson, Select Committee on Public Accounts)*

**5. NOTICES OF MOTION - (Chairperson, Select Committee on Public Accounts)**

**THAT**, this Assembly adopts THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY FOR THE SIXTEEN (16) MONTHS PERIOD ENDED 30<sup>TH</sup> JUNE, 2014, laid on the Table of the Assembly today Wednesday 28<sup>th</sup> October, 2015.

**6. COMMITTEE OF THE WHOLE ASSEMBLY**

**IN THE COMMITTEE**

(Chairperson of Committees – in the chair)

**The Nairobi City County Finance Bill, 2015 (Assembly Bill No. 8 of 2015)**

- Clause 2 - Agreed to
- Schedule 1 - amendment proposed –

**That**, the charge on “Treatment and Fleas” under City Inspectorate Services be revised as follows:

<b>Treatment</b>		<b>Charge</b>
Ticks and fleas		1,000

(Chairperson, Budget and Appropriations Committee)

Question of the amendment proposed, put and Agreed to.

- Schedule 1 - as amended Agreed to
- Schedule 2 - amendment proposed –

**That**, the charges of the following items under the Fire and Rescue Services be revised as shown in the charges column:

<b>Item Description</b>	<b>Unit of Measure</b>	<b>Charges</b>
<b>High Rise Buildings</b>		
<i>Up to 4 floors</i>	Per Year	Nil
<i>Up to 10 floors</i>	Per Year	Nil

<i>10 floors and above</i>	Per Year	Nil
<b>Commercial buildings</b>		
<i>Up to 4 floors</i>	Per Year	12,000
<i>Up to 10 floors</i>	Per Year	14,000

<i>10 floors and above</i>	Per Year	25,000
<b>Petroleum Tankers</b>		
<i>Tankers</i>	Per Year	10,000
Mongrel	Each	2,000
Small Churches	Per year	2,000
Medium Churches	Per year	4,000
Large Churches	Per year	10,000
Cafes	Per Cert	5,000
Fish and Chips(no eating)	Per Cert	2,500
Milk shop/bar	Per Cert	2,500
Traditional beer	Per Cert	3,000
Juice parlour	Per Cert	2,500

**That,** the Unit of Measure for Special services other than firefighting (Opening door lock for tenant) be deleted and revised to “Per Instance”

**That,** the Unit of Measure for Special services other than firefighting (Removal of bees) be deleted and revised to “Per Instance”

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

Schedule 2 - as amended Agreed to

Schedule 3 - amendment proposed –

### **Schedule 3: Land Rates**

**That,** the charges for the following items under Land Rates be revised as shown in the charges column:

<b>Private and Public Valuation Plots</b>	<b>Amended charge</b>
Residential Plots	34%
Commercial Plots	34%
Agricultural Plots	34%

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Rejected.

Schedule 3 - as amended Rejected

Schedule 4 - amendment proposed –

**That**, the schedule be amended by inserting the expression “in Part 2.3” immediately after the expression “informal sector”

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

Schedule 4 - as amended Agreed to

Schedule 5 to 10 - Agreed to

Schedule 11 - amendment proposed –

**That**, the charges for the following items under the Food Hygiene License be revised as shown in the charges column:

- i. The first sub-heading should be renamed from Hotel to Restaurant:

<b>Item Description</b>	<b>Unit of Measure</b>	<b>Charges</b>
Outside catering services	Per cert	7,000
Eating House	Per cert	7,000
Food Packaging	Per cert	7,000
Butchery	Per cert	7,000
Dairy	Per cert	7,000
Bakery	Per cert	7,000
Bar & Restaurant	Per cert	7,000
Small Brewer (Below 5,000 Ltrs)	Per cert	7,000
Stockists	Per cert	7,000
Poultry Shop	Per cert	7,000
Hostel	Per cert	7,000
Guest house	Per cert	7,000
Traditional beer	Per cert	7,000
Soda distributor	Per cert	7,000
Juice parlor	Per cert	2,500
Milk shop/bar	Per cert	2,500
Fish and chips (no eating)	Per cert	2,500
Supermarket	Per Cert	20,000
Hypermarket	Per cert	60,000

Snack bar	Per cert	7,000
Fishmonger	Per cert	7,000
Commercial kitchen	Per cert	7,000
General Retail liquor	Per cert	7,000

Wholesale Liquor	Per cert	7,000
Hotel Liquor	Per cert	15,000
Off license( supermarket)	Per cert	7,000
Floormill(Factory)	Per cert	50,000
Posho mill	Per cert	3,000
Food manufacturing plant	Per cert	50,000
Large slaughter house(100	Per cert	50,000
Small slaughter house(below 100 animals	Per cert	7,000
Food kiosk	Per cert	2,000
Mobile food kiosk	Per cert	10,000
Catering type trucks	Per cert	10,000
Mobile cookers and BBQ	Per cert	2,000
Frozen food trucks	Per cert	10,000
Concession	Per cert	5,000
Outdoor food and drinks	Per cert	2,000

(Chairperson, Budget and Appropriations Committee)

Question of the amendment proposed, put and Agreed to.

Schedule 11 - as amended Agreed to

Schedule 12 - Agreed to

Schedule 13 - amendment proposed –

**That**, the charges for the following items under the City Mortuary be revised as shown in the charges column:

Item Description	Charges
Documentation	
Burial Permit	5,00
Burial search fee	500
A copy of certified death register	500
Death after 5 years	500

(Chairperson, Budget and Appropriations Committee)

Question of the amendment proposed, put and Agreed to.

Schedule 13 - as amended Agreed to

Schedule 14 - Agreed to

Schedule 15 - amendment proposed –

**That**, the charges for the following items under the Langata Cemetery be revised as shown in the charges column:

Item Description	Charges
<b>Temporary Graves</b>	
People Dying within Nairobi Area	
Adults	7,000
Children	4,000
<b>Cremation Charges</b>	
Adults	13,500
Children	9,000
Infants	6,000
Shipping Cremated Materials	11,250
Cremation certificate and ashes collection	900
Scattering of ashes	1,500
Medical reference for clearing certificate	900
Pathologist carrying out post-mortem	2,000
Attendants	600

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

Schedule 15 - as amended Agreed to

Schedule 16 to 21 - Agreed to

Schedule 22 - amendment proposed –

- a) **That**, the Schedule be amended by deleting the expression “sections immediately after the section titled small trade services” and replacing thereof with the following new expression “Section 9.3 immediately after the section titled Rental Markets- Monthly Rent Per Stall”
- b) **That**, the charges for the following items under the Weights and Measures be revised as shown:

Particulars of Equipment	INITIAL VERIFICATI ON	RE- VERIFICATI ON
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<p><b>1. Weights</b>  <b>For each weight-</b>  5 Kg and under.....  10 Kg.....  20 Kg.....  Exceeding 20 Kg.....</p>	<p>100  160  200  400</p>	<p>40  80  100  200</p>
<p><b>2. Measures of Length</b>  <b>A) Unsubdivided.....</b>  ....  <b>b) Subdivided (including the whole length)</b>  1 Meter and  under.....  Exceeding 1 Meter but not exceeding 5 Meters..  10  Meters.....  20  Meters.....  30  Meters.....  Exceeding 30  Meters.....</p>	<p>400  100  200  200  600  800  1,000</p>	<p>200  60  100  200  300  400  800</p>
<p><b>3. Measures for capacity(other than bulk measures):</b>  <b>For each measure</b>  <b>a) Unsubdivided</b>  2 Litres and  under.....  Exceeding 2 Litres but not exceeding  20  Litres.....  .  Exceeding 20  Litres.....</p>	<p>100  200  400</p>	<p>40  100  200</p>
<p><b>6. Spirit measuring instruments</b>  For each  instrument.....</p>	<p>400</p>	<p>200</p>
<p><b>7. Liquid measuring instruments</b>  <b>a) Dispensing pumps(each)-</b>  (i) electronic.....  (ii) non-  electric.....  <b>b) Bulk meters (each)-</b>  (i) electronic.....  (ii) non-electric.....</p>	<p>2000  1600  30,000  20,000</p>	<p>1,200  1,000  15,000  10,000</p>



<p><b>8. Leather measuring instruments and fabric measuring instruments</b> For each instrument.....</p>	2,000	1,600
<p><b>9. Egg grading machines</b> For each machine- Type 'A' Machine..... Type 'B' Machine.....</p>	2,000 3,000	1,000 1,500
<p><b>10. Non automatic weighing instruments intended for counter use</b> For each instrument according to capacity-</p> <p>a) Non-self-indicating</p> <p>5 Kg and under.....</p> <p>Exceeding 5 Kg but not exceeding 15 Kg...</p> <p>Exceeding 15 Kg.....</p> <p>b) Semi-self-indicating instruments-</p> <p>5 Kg and under.....</p> <p>Exceeding 5 Kg but not exceeding 15 Kg...</p> <p>Exceeding 15 Kg.....</p> <p>c) Self-indicating instruments</p> <p>I. Electronic-</p> <p>5 Kg and under.....</p> <p>Exceeding 5 Kg but not exceeding 15 Kg.....</p> <p>Exceeding 15 Kg.....</p> <p>(ii) Non-electronic-</p> <p>5 Kg and under.....</p> <p>Exceeding 5 Kg but not exceeding 15 Kg.....</p> <p>Exceeding 15 Kg.....</p> <p>(2) All other non-automated weighing instruments: For each instrument according to its</p>	<p>200</p> <p>400</p> <p>1000</p> <p>400</p> <p>800</p> <p>1200</p> <p>600</p> <p>1000</p> <p>1600</p> <p>400</p> <p>800</p> <p>1200</p> <p>1200</p> <p>2000</p> <p>4000</p> <p>6000</p> <p>10000</p>	<p>150</p> <p>200</p> <p>400</p> <p>200</p> <p>400</p> <p>800</p> <p>400</p> <p>600</p> <p>1200</p> <p>200</p> <p>400</p> <p>800</p> <p>800</p> <p>800</p> <p>800</p> <p>1200</p> <p>2000</p> <p>2000</p> <p>5000</p> <p>8000</p>

capacity-		
<b>a) Electronic instruments-</b>		
50 Kg and under.....		
Exceeding 50 Kg but not exceeding 500 Kgs.....		
Exceeding 500 Kg but not exceeding 1 Tone.....	1000	600
....	1600	1000
Exceeding 1 Tone but not exceeding 5 tones.....	3000	2000
..	4000	3000
Exceeding 5 tones but not exceeding 20 Tones.....	8000	6000
Exceeding 20 Tones. The fee payable shall be the same as that for a 20 ton capacity instrument plus an additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity.	1200	
<b>b) Non- electronic instruments</b>		
50 Kg and under.....	1600	600
Exceeding 50 Kg but not exceeding 500 Kgs.....	2000	1000
Exceeding 500 Kg but not exceeding 1 Tone.....	3000	1500
..	4000	2000
Exceeding 1 Tone but not exceeding 5 tones.....	8000	3000
..		5000
Exceeding 5 tones but not exceeding 20 Tones.....		
Exceeding 20 Tones- The fee payable shall be the same as that for a 20 Ton capacity instrument plus an		

<p>additional charge of Kshs. 400 for every tone (or part thereof) in excess of such capacity</p> <p><b>11. Automatic weighing instruments</b></p> <p>For each weighing unit according to its capacity-</p> <p>20 Kg and under.....</p> <p>Exceeding 20 Kg but not exceeding 50 Kg.....</p> <p>Exceeding 50 Kg but not exceeding 200 Kg.....</p> <p>Exceeding 200 Kg but not exceeding 1 Tone.....</p> <p>Exceeding 1 Tone but not exceeding 5 Tones.....</p> <p>Exceeding 5 Tones but not exceeding 20 Tones.....</p> <p>Exceeding 20 Tones..... the fee payable shall be the same as that of a 20 Ton capacity instrument plus an additional charge of KShs.400 for every tone (or part thereof) in excess of such capacity</p>		
<p><b>12. Belt Weighers</b></p> <p>For each instrument</p>	12,000	8,000
<p><b>PART 3: FEES FOR ADJUSTING WEIGHTS AND MEASURES AND OTHER MISCELLANEOUS CHARGES</b></p>		
<p>a) Test Weights/ Roller Weights</p> <p>Exceeding 2 kg but not exceeding 20 kg.....</p> <p>Exceeding 20 kg but not exceeding 50 kg....</p>	<p>400</p> <p>600</p> <p>2,000</p> <p>5,000</p>	

Exceeding 50 kg but not exceeding 500 kg.. Exceeding 500 kg.....	
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**PART 6: WEIGHING SERVICES FEES**

The charges payable as weighing fees for quantity determination where County Weighbridges and other weighing equipment are used shall be as follows;-

Quantity determined (Gross weight)	Amount Kshs.
50kg and under.....	
Exceeding 50kg but not exceeding 100kg.....	
Exceeding 100kg but not exceeding 200kg.....	
Exceeding 200kg but not exceeding 500kg.....	10/=
Exceeding 500kg but not exceeding 1,000kg.....	20/=
Exceeding 1,000kg but not exceeding 5,000kg.....	50/=
Exceeding 5,000kg but not exceeding 10,000kg.....	100/=
Exceeding 10,000kg but not exceeding 20,000kg.....	150/=
Exceeding 20,000kg but not exceeding 30,000kg....	200/=
Exceeding 30,000kg but not exceeding 40,000kg.....	300/=
Exceeding 40,000kg but not exceeding 50,000kg.....	400/=
Exceeding 50,000kg an addition fee of 100/= shall be payable for every additional 10,000kg or portion thereof.	500/=
	600/=
	700/=

ii. The charges payable as daily fees for use of County Weighing Equipment at designated places within the County markets shall be as follows;-

Weighing Equipment Capacity Range	Daily fee per user
30kg and bellow.....	30/=
Exceeding 30kg but not exceeding 150kg	50/=
Exceeding 150kg but not exceeding 300kg	100/=
Exceeding 300kg but not exceeding 500kg	150/=
Exceeding 500kg but not exceeding 1,000kg	200/=

<b>Determination of Tare Weight of Vehicles:</b> The charges payable as the fees for determination tare weight of vessels and vehicles in use shall be as follows;-.	
Commercial in use for vessels/vehicles Type of vehicles Hand carts.....	200 500
Pick up vehicles.....	1000
Trucks.....	2000
Semi-Trailer trucks.....	300
Trailer trucks.....	
<b>Tare weight for new vehicles</b>	
The charges payable as fees for determination of Tare weight for new vehicles shall be as follows;-	
Type	1000
Cars up to 5 seats.....	1500
	2000
Cars up to 7 seats.....	3500
Vans up to 14 seats.....	3000
	1500

**Schedule 22: Liquor Licensing Proposed Fees**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Fees for Repairers License “Liquor Licensing”
- b) **That**, the following paragraph for Schedule 22A be inserted immediately after the title Liquor Licensing “By inserting the following new Section 9.4 immediately after the section titled Weights and Measures”

**Schedule 22: Betting Control and Licensing Board**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Liquor Licensing Proposed Fees “Betting, Gaming and Lotteries Charges”
- b) **That**, the following paragraph for Schedule 22B be inserted immediately after the title Betting, Gaming and Lotteries Charges

“By inserting the following new Section 9.5 immediately after the section titled Liquor Licensing”

**Schedule 22: Department of Co-operatives**

- a) **That**, the Schedule be amended by inserting the following title immediately after the Section headed Betting, Gaming and Lotteries Charges “Department of Co-operatives”
- b) **That**, the following paragraph for Schedule 22C be inserted immediately after the title Department of Co-operatives “By inserting the following new Section 9.6 immediately after the section titled Betting, Gaming and Lotteries Charges”

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

Schedule 22 - as amended Agreed to

Schedule 23 - amendment proposed –

**That**, the charges for the following items under Rental Markets- Monthly rent per stall be revised as shown:

<b>Item Description</b>	<b>Charge</b>
Kahawa West TPS	
Butcheries	600
Hotels	600
Workshops	600

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

Schedule 23 - as amended Agreed to

Schedule 24 to 25 - Agreed to

New Schedule 26 - amendment proposed –

**That**, In the Section headed General Traders Shops and Retail Services in Part 2.2 by deleting and revising the charges as set out in the charges column:

<b>Item Description</b>	<b>Charge</b>
Hyper- markets: Over 100employees/over 5001sq.m	200,000

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

New Schedule 26 - as amended Agreed to

New Schedule 27 - amendment proposed –

**That,** In the Section headed Industrial Plants, Factories, Workshop, Contractors in Part 2.8 by deleting and revising the charges as set out in the charges column:

<b>Item Description</b>	<b>Charge</b>
Large industrial plant with over 75 employees & or premises over 2500 sq.m	200,000

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

New Schedule 27 - as amended Agreed to

New Schedule 28 - amendment proposed –

**That,** In the Section headed Outdoor Advertisement and Signages in Part 5.6 by deleting and revising the charges as set out in the charges column:

<b>Item Description</b>	<b>Charges</b>
Billboards/Wall wraps	
<i>Application fee</i>	10,000
<i>Additional square meter of Billboard of sizes 12 × 6m per Billboard structure</i>	3,000

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to.

New Schedule 28 - as amended Agreed to

New Schedule 29 - amendment proposed –

**That,** In the Section headed Housing in Part 5.7 by deleting and revising the deadline as set out in the deadline column:

<b>Item Description</b>	<b>Deadline</b>
Penalty for Late Payment of Monthly Rent	After 15 <sup>th</sup>

*(Chairperson, Budget and Appropriations Committee)*

Question of the amendment proposed, put and Agreed to

New Schedule 29 - as amended Agreed to

**7. THE ASSEMBLY RESUMED** - (Hon. Speaker in the Chair)

**Nairobi City County Finance Bill, 2015 (Assembly Bill No.8 of 2015)**

Bill reported with amendments;

Motion made and Question proposed:-

**THAT,** the Assembly do agree with the Committee of the whole Assembly in the said report.

*(Chairperson, Budget & Appropriations Committee)*

Question put and agreed to

Motion made and Question proposed –

**THAT,** the Nairobi City County Finance Bill, 2015 (Assembly Bill No. 8 of 2015) be now read a Third Time.

Bill read a Third Time and **passed.**

And the time being fourteen minutes past Four O'clock, the Speaker interrupted the proceedings and adjourned the Assembly without Question put pursuant to the Standing Orders.

**8. ASSEMBLY ROSE** - at fourteen minutes past Four O'clock.

**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, October 29, 2015 at 2.30p.m