

(Restaurants, Hotels and Eating Joints or Chop Bars) Bye-Laws, 2017

IN EXERCISE of the powers conferred on the Adentan Municipal Assembly by section 181 subsection 1 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

Title

This Bye-law may be cited as Adentan Municipal Assembly (Restaurants, Hotels and Eating Joints or Chop Bars) Bye-Law, 2017

License

1. (a) A person shall not designate a place as a hotel, motel, guest house, restaurant, eating joints chop bar or other establishment unless the premises has been approved and licensed by the Assembly for that purpose.

(b) A license issued under this Bye-law is subject to such conditions as the Assembly shall impose.

(c) A license issued shall take effect from the date on which it is granted and shall expire on the 31st day of December in the year in which the license is issued.

(d) Every license granted shall be personal to the licensee only and shall not be transferable.

Restaurants, Hotels, Motel, Pups and Guest House

2. Restaurants, Hotels, Motel, Pups and Guest House bar premises shall provide the following;
 - (a) a separate room used solely as a public eating room.
 - (b) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
 - (c) a separate lavatory for male and female;
 - (d) A separate changing/cloak room for male and female
 - (e) Fire Safety Equipment
 - (f) Hand washing facility

Requirement as to public eating room

3. A public eating-room in the premises aforementioned shall have the minimum dimensions of not less than five meters long, four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.
4. The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
5. The proprietor of public eating-room shall provide adequate lighting, ventilation and provide soak away for sullage. The premises must be kept clean at all times.
6. The eating room shall be flies and insect – proof.

7. A kitchen in the aforementioned premises shall have a concrete floor, and in every such kitchen suitable fly-proof storage for foodstuffs, meat, fish and vegetables together with one or more tables for the preparation of food.
8. The licensee shall further provide adequately covered receptacles for storage and the disposal of refuse and maintain the kitchen to ensure cleanliness of the premises.

Washing of plates and others

9. A licensee shall have a suitable arrangement for the washing of plates and utensils. Where the licensee is not using a dish washer, the licensee shall constantly replace the water used for washing.

Chop bars, Food Joint, Drinking bars and Table tops

10. Chop bars, food Joint and Table tops premises shall provide the following;
 - (a) Separate room or shed used solely as a public eating room
 - (b) Separate kitchen used solely for cooking and for the preparation of food and liquid Refreshment for use in the premises aforementioned;
 - (c) Urinal
 - (d)Fire Safety Equipment
 - (e)Protect food from dust and flies
 - (f)Provide separate water for washing and rinsing dishes and constantly replace the water used for washing.
 - (g)Provide sanitary dust bin to ensure cleanliness

Infected Person

11. (a) A licensee shall not permit any person suffering from an infectious or contagious disease to take part in the preparation or serving of food or in connection with the hotel, restaurant, eating-house or chop bar
 - (b) To ensure compliance with paragraph 11(a), the licensee shall furnish the Assembly with a medical report of the licensees' workers issued by the medical officer or a certified designated health facility in the city who certifies that the person is fit to work in any of the places mentioned therein before the issuance of the license by Municipal Environmental Health Officer to operate as such.
12. The licensee shall not keep animals on the premises where food is cooked and sold.

Obstruction

13. A person shall not obstruct or resist an Environmental Health Officer or any other person appointed by the Assembly and acting in the performance of duties relating to any of the purposes of this Bye-law.

Withdrawal of license,

14. (1)The Assembly in its discretion may withdraw a license issued under this Bye-law if;

(a) An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;

(b) If the licensee operates contrary to the provisions of this Bye-law;

(c) If the licensee is convicted of any of the offences under this Bye-law;

(2) A licensee whose license is revoked shall re- apply for a fresh license to operate the premises after satisfying all the conditions of the Assembly in respect of operating premises as a hotel, motel, restaurant, Guest House, Pups, food joint, table tops or a chop bar and as stated in paragraph (14)above.

(3) A licensee whose license, sanitation permit, medical certificate, is withdrawn shall pay a penalty fixed by the resolution of the Assembly before a new license is issued.

Appeal

15. (1) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the Chief Executive of the Assembly for redress.

(2) The Chief Executive on receipt of same shall constitute a panel of three comprising the Solicitor of the Assembly, the heads of Planning Environmental Health Departments of the Assembly who shall hear the appeal and report to the Chief Executive with their recommendations within two weeks after the close of the hearing.

(3) The Chief Executive on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the Chief Executive on the appeal.

Penalty

16. A person found to have breached any provisions of this Bye-law or the conditions of a license, shall be liable on conviction to a fine of 100 penalty units or in default of payment to imprisonment for a term not exceeding six months or to both.

17. A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house for the purpose of this Bye-law

18. Medical examination should be carried out every year on the following workers :

(i) Hotel, motel ,guest houses and all other hospitality establishments, food vendors, bars, pubs, night clubs

(ii) Schools

(iii) Factories dealing in food, water, beverages, Dairy Product, confectionery.

(iv) Shopping Mall, shops, bakeries

(v) Meat shops, butchery, Abattoir, slaughtering slaps, cold stores.

Interpretation

10. In this Bye-law unless the context otherwise requires:

“Assembly” means the Adentan Municipal Assembly;

“License means” Environmental Sanitation Permit, Medical Health Certificate, Business Operating Licence

“Other Establishments” means:

- a. Schools
- b. Hotels, guest, houses, motels, hostels, restaurants, chop bars ,drinking bars pubs ,night clubs, game centers, bakery
- c. Shopping malls, shops
- d. Meats shops, butchery, abbatoir, slaughtering slaps, cold stores, etc.

Revocation

11. Any Bye-law on Restaurants, Hotels and Eating Joints or Chop Bars in the area of authority of the Assembly in existence immediately before the coming into force of this Bye-law is hereby revoked.

Presiding Member

(Hon. Odai- Boye Joseph)

Municipal Coordinating Director

(Moirra Nancy Ewa)

Regional Minister

Regional Co-ordinating Director