

Ga East Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars) Bye-Law, 2016

In exercise of the powers conferred on the Ga East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

License

1. (a) A person shall not designate a place as a hotel, motel, guest house, restaurant, eating joints or chop bar, unless the premises have 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 of issue.
- (d) Every license granted shall be personal to the licensee only and not transferable.

Provision of separate places for eating, cooking and lavatory

2. (a) A hotel, motel, guest house, restaurant, eating joint or chop bar premises shall provide the following;
 - i) a separate room used solely as a public eating room
 - ii) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
 - iii) a separate lavatory for male and female;
 - iv) a separate changing/cloak room for male and female

Requirement as to public eating room

3. (a) 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.
- (b) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
- (c) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
- (d) The eating room shall be fly proof.
- (e) 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.
- (f) 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

4. 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.

Infected Person

5. (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 5(a) above, the licensee shall furnish the Assembly with a medical report of the licensee's workers, issued by the medical officer of the Assembly or a certified designated health facility in the city certifying that the person is fit to work in any of the places mentioned therein before the issuance of the license to operate as such.

Nuisance

6. The licensee shall not keep livestock on the premises of operation.

Obstruction

7. A person shall not obstruct or resist an Officer of health 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

8. (a) The Assembly in its discretion may withdraw a license issued under this Bye-law, if;
 - i) An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;
 - ii) The licensee operates contrary to the provisions of this Bye-law
 - iii) The licensee has been convicted of any of the offences under this Bye-law;
(b) A licensee whose license is revoked shall apply for a fresh license to operate the premises after satisfying all the conditions of the Assembly.
(c) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the Assembly before a new license is issued.

Appeal

9. (a) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the Municipal Chief Executive for redress.
(b) The Municipal Chief Executive, on receipt of same shall constitute a panel of three comprising the Solicitor of the Assembly, the heads of the Planning and Health departments, who shall hear the appeal and present their report to the Municipal Chief Executive within two weeks.

(c) The Municipal 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.

Offence and Penalty

10. A person found guilty of a breach of any provision of this Bye-law or a license granted hereunder commits offence and shall be liable on conviction to a fine not less than 100 penalty units or in default of payment to imprisonment for a term not exceeding three months or to both.

Interpretation

11. In this Bye-Law, unless the context otherwise requires;

“Assembly” means Ga East Municipal Assembly.

“Restaurant or eating-house” A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption.

Title

12. This Bye-law shall be cited as Ga East Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars) Bye-Law, 2016.

Revocation

13. Any Bye-law on control of Hotels, Restaurants and Eating-houses or Chop Bars in force prior to the commencement of this Bye-law is hereby repealed.

Made at a meeting of the Ga East Municipal Assembly 24th April, 2017

SIGNED

HONOURABLE JESSE NII NOI ANUM

Presiding Member

Ga East Municipal Assembly

SIGNED

ALHAJI SHEHU AWUDU KADIRI

Municipal Co-ordinating Director

and Secretary of GEMA

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government and Local Government.

Regional Minister

Regional Coordinating Director.

