

Section Ten

Tema Metropolitan Assembly (Poultry in Dwelling Houses) Bye-Laws, 2017

In the exercise of the powers conferred upon the Tema Metropolitan Assembly by Section 181 of the Local Governance Act, 2016 (Act, 936).

Title

1. This Bye-law may be cited as Tema Metropolitan Assembly (Poultry in Dwelling Houses) Bye-Laws, 2017

Limitation of poultry in dwelling houses

2. (a) Subject to provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling house within TMA's Administration area shall not be more than be 50 birds.
(b) Whenever the sanitary conditions of the poultry cause nuisances, the TMA shall order its closure.
(c) The TMA shall notify the owner and give the owner a written notice of three months to look for an alternative location to keep the poultry.

Inspection and impounding of excess poultry

3. (a) An officer of the Public Health Department of the TMA duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept for purposes of ascertaining the total number of poultry.
(b) Where the inspection reveals keeping of birds more than the required number, the officer will issue a notice in writing to the owner or the keeper of the poultry which is in excess of the permitted number within 14 days to keep the number within the required limit.
(c) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days after receipt of a written notice, the authorized officer of the TMA may impound them.

Housing of poultry

- 4 An owner or keeper of poultry who contravenes sub-paragraph (1) of paragraph 2 commits an offence under paragraph 7 and the court which records the conviction may in addition order the owner or keeper to dispose of the excess poultry within such time as it deems fit.

Disposal of droppings

5. (a) Litter or droppings cleared from deep litter or battery cases or any other structure housing the poultry shall be disposed of in accordance with the sanitation rules of the TMA;
(b) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

Stray poultry

6. (a) An owner or keeper of poultry shall not allow his poultry to stray outside the premises owned or occupied by him.
- (b) An officer of the Public Health Department of TMA duly authorized, may impound any strayed or straying poultry which is found in a public place.

Custody of strayed poultry

7. An owner or occupier of any premises into which poultry stray, may impound them and shall within 24 hours, surrender them to TMA or arrange for the TMA or its Public Health Department to take possession of them.

Redemption of impounded stray poultry

8. The owner of any impounded stray poultry may redeem them after paying the requisite fee fixed by a resolution of the TMA.

Failure to pay

1. (a) Where the expenses of keeping the poultry is not paid by the owner within 11 days after being impounded, the keeper or other person appointed by the Public Health Officer of TMA shall sell them by public auction and pay the proceeds from these to the finance officer of TMA, after deducting the expenses incurred for keeping the poultry.
- (b) The finance officer of TMA shall pay the owner of the poultry the amount realized from the sale of the poultry less any expenses incurred by the TMA for keeping and selling the poultry where the poultry owner demands payment for the poultry sold within twelve months after sale.

Power of Medical officer to conduct inspection

10. (a) A duly authorized officer of the TMA, Ministry of Health and the Ministry of Food and Agriculture may at reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of
 - (i) Advising or enforcing any bye-laws relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to human.Or;
 - (ii) Finding if the conditions under which poultry are being kept to meet the requirement of these Bye-laws.

Discretionary powers of TMA

11. (a) Notwithstanding the provisions of these Bye-laws the TMA may, where it is satisfied that sufficient land is available for the purpose, authorize the keeping of poultry in excess of the limit specified in paragraph (1) subject it to such condition relating to sanitation as it may be reasonably necessary in the public interest.

Penalty

- 11.(a)Any person who contravenes the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine of not less than 180 penalty units or in default of payment to a term of imprisonment not exceeding six months or both.

Made at a meeting of the Tema Metropolitan Assembly held on the

Application

3. These Bye-laws shall apply within the area of authority of the TMA.

Revocation

4. Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema Metropolitan Assembly held on the

SIGNED

*Presiding Member
Tema Metropolitan Assembly*

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

SIGNED

*Metropolitan Co-ordinating Director
and Secretary of TMA*