

***Sunyani Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars)***  
**Bye-Law, 2017**

IN exercise of the powers conferred on the Sunyani Municipal Assembly by section 79 of the Local Government Act, 1993 (Act 462) hereby make this Bye-law:

**License**

1. (1) A person shall not designate a place as a hotel, motel, guest house, restaurant, eating joints or chop bar, unless the premises has been approved and licensed by the S.M.A. for that purpose.  
(2) Documents of statutory requirement from EPA, Ghana National Fire Service, Police, and any other relevant Institution must be provided as required by law before a license could be issued.  
(3) A license issued under this Bye-law is subject to such conditions as the S.M.A. shall impose;  
(4) A license issued shall take effect from the date on which it is granted and shall determine on the 31<sup>st</sup> day of December in the year in which the license is issued.  
(5) Every license granted shall be personal to the licensee only and not transferable.

**Provision of separate places for eating, cooking and lavatory**

2. (1) A hotel, motel, guest house, restaurant, eating joint or chop 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

**Requirement as to public eating room**

- (2) 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.
- (3) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.

- (4) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
- (5) The eating room shall be fly-proof
- 3. (1) 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.
  - (2) 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. (1) 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.
  - (2) To ensure compliance with bye-law 5 (1) above, the licensee shall furnish the S.M.A. with a medical report of the licensees' workers issued by the Environmental Health Department of S.M.A. 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 Environmental Health Officer or any other person appointed by the S.M.A and acting in the performance of duties relating to any of the purposes of this Bye-law.

#### **Withdrawal of license**

- 8. (1) The S.M.A 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 S.M.A. or the necessary 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 apply for a fresh license to operate the premises as such after satisfying all the conditions of the S.M.A. in respect of operating premises as a hotel, restaurant, food joint or a chop bar.
- (3) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the SMA before a new license is issued.

### **Appeal**

- 9. (1) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the M.C.E. for a redress.
- (2) The M.C.E. on receipt of same shall constitute a panel of three comprising the Solicitor of the S.M.A, the heads of the Development Planning and Environmental Health Departments of the S.M.A. who shall hear the appeal and report to the M.C.E. within two weeks with their recommendations.
- (3) The M.C.E. 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 M.C.E. containing the recommendations.

### **Offence and Penalty**

- 10. A person found guilty of a breach of any of this Bye-law or a license granted hereunder shall be liable on conviction to a fine of between 50-400 penalty units or in default to imprisonment for a term not exceeding three months or both.
- 11. 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.

### **Interpretation**

- 12. In these Bye-Laws unless the context otherwise requires;  
S.M.A. means Sunyani Municipal Assembly, M.C.E. means the Municipal Chief Executive, Hotel shall include motel and guest houses

**Title**

13. This Bye-law shall be cited as Sunyani Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars) Bye-Law, 2017.

**Revocation**

13. The Bye-law on control of Hotels, Restaurants and Eating-houses or Chop Bars) 2006, is hereby repealed.

Made at a meeting of the Sunyani Municipal Assembly.....

SIGNED

*Presiding Member  
Sunyani Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director  
and Secretary of SMA*

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

SIGNED

*Regional Co-ordinating Director and Secretary to R.C.C.*