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BYE-LAWS
OF
ABUJA MUNICIPAL AREA COUNCIL (AMAC)
FEDERAL CAPITAL TERRITORY,
ABUJA, NIGERIA



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ABUJA MUNICIPAL AREA COUNCIL
BYE-LAWS 2012

[2nd January, 2012] Commence-
ment.

WHEREAS, it is necessary—

In accordance with the provisions of Section 7 and Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the relevant provisions of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006, and other applicable enabling Laws, the ABUJA MUNICIPAL AREA COUNCIL promulgates the Council's Bye-Laws in the interest and for the promotion of the welfare and unity of the people of Abuja Municipal Area Council.

PART I—PRELIMINARY

1. This Bye-Law and any amendment(s) therein may be cited as Abuja Municipal Area Council Bye-Law 2012, and shall come into force 2nd January, 2012.

Short Title
and
Commence-
ment.

PART II—ABUJA MUNICIPAL AREA COUNCIL BYE-LAW (No. 1) 2012 :
 ENABLING LAW, APPLICATION, FUNCTIONS OF THE AREA COUNCIL AND
 ESTABLISHMENT OF THE AREA COUNCIL DEPARTMENTS

ENABLING LAW :

In accordance with the provisions of Section 7 and Fourth Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), and Part XIII of the Local Government Act, Laws of the Federal Capital Territory, Abuja 2006 and other enabling Laws, Abuja Municipal Area Council hereby promulgates the Council's Bye-Law as follows :

- Application. 1. This Bye-Law shall apply to all parts and on all persons in Abuja Municipal Area Council.
- Functions of the Area Council. 2. The Area Council shall perform the Government function assigned to it under Part VII of the Area Council Act, Laws of the Federal Capital Territory, Abuja 2006 and Section 7(5) of the fourth schedule to the Constitution, Federal Republic of Nigeria 1999 (as amended) and any other functions assigned to it by law, or any applicable legislation.
- Establishment of Departments. 3. It shall be created for the Abuja Municipal Area Council, six (6) departments as follows :
- (a) Agricultural and Natural Resources Department ;
 - (b) Community Development Department ;
 - (c) Works and Housing Department ;
 - (d) Medical and Health Care Department ;
 - (e) Personnel Management Department ; and
 - (f) Treasury and Finance Department,
- whose functions shall be stated as follows :
- (1) AGRICULTURAL AND NATURAL RESOURCES DEPARTMENT.
 The Agricultural and Natural Resources is divided into five (5) Sections—
- (i) Agricultural Section ;
 - (ii) Forestry Section ;
 - (iii) Veterinary Section ;
 - (iv) Co-operative Section ;
 - (v) Fishery Section.
- Functions of the Agricultural Section—*
 The functions of the Agricultural Section include :
- (a) Taking care of tractor hiring services.
 - (b) Overseeing planting of seeds germination and improvement.
 - (c) Inspection and co-ordination of farm crops.
 - (d) Organizing general training on farming/farming practices.

- (e) Furtherance of development of agricultural and natural resources.
- (f) Control of erosion and other farm hazards.

Functions of the Forestry Section—

The functions of the Forestry Section include :

- (a) Policing and patrolling forests to ensure compliance with the relevant forest regulations.
- (b) Measuring forest product for assessment of fees and royalties.
- (c) Performing routine manual mechanical work in nursery shed, garden, plantation, forest or sanctuary.
- (d) The forest section shall perform any other functions in collaboration with, and/or as directed by the FCT Department of Agriculture and Natural Resources.

Functions of the Veterinary Section—

The functions of the veterinary section shall include :

- (a) Creation of veterinary clinic and provision of animal health services.
- (b) Making sure that diseases infected animals are isolated from other animals and ensure they are treated.
- (c) Provision of vaccines and vaccination services.
- (d) Provision of other extension services.
- (e) Supervision and control of slaughter houses.

Functions of the Co-operative Section—

The Co-operative Section shall among other things function in collaboration with FCT Co-operative Societies, and as directed by the Ministry of Agriculture and Natural Resources.

Functions of the Fisheries Section—

The function of the Fisheries Section shall include :

- (a) Performing fisheries extension duties.
- (b) Giving advice to, and conducting simple demonstration for fish farmers and fishermen in the locality.
- (c) Performing such other related duties/services as may be directed by the FCT Department of Agriculture and Natural Resources.

(II) COMMUNITY AND SOCIAL DEVELOPMENT DEPARTMENT.

The Community and Social Development shall be divided into four (4) section as follows :

- (i) Community Development/Main Unit ;
- (ii) Social Welfare Unit ;
- (iii) Information and Sport Unit ;
- (iv) Trade Unit.

Powers and Functions of Community and Social Development/Main Unit—

(a) The Community Development /of Community and Social main unit shall perform the following development/main unit functions :

(i) Registration, supervision and co-ordination of the activities of both uniform and non-uniform, voluntary, self-help, and social organizations within the Area Council.

(ii) Advice, Assist and lead organizations and clubs on social and advancement oriented programmes as well as assisting them therewith.

(iii) Liaise and collaborate with any individual, clubs, organizations or self-help associations any time the council organizes or embarks on any community development project.

(iv) Any other functions incidental to or as may be assigned to it either the HOD or the Area Council towards the general development of Area Council.

(b) The Social Welfare Unit shall be of Social Welfare Unit entrusted with the following functions :

(i) Assessment of outbreak of natural disaster such as flood, fire, storm, earthquake, and/or any other natural disaster.

(ii) Advice and recommend to the Council the kind of assistance to be rendered to the victim of such disaster, and the measures to take so as to forestall a possible reoccurrence.

(iii) Provision of materials and human resources for the effective actualization of any programme or project initiated by the Federal, State or Local Government for the purpose of improving the general welfare of the communities within the municipality.

(iv) Organization and provision of essential facilities for training, seminars or workshops to organizations, clubs, self-help associations and women groups that are legally registered with the Area Council.

Powers and Functions of Information and Sport Unit—

The Information and Sport Unit shall have the following functions :

(i) Sport Unit Source, cover, store, record and disseminate information pertaining to all activities of the Council as well as the print and electronic media.

(ii) Liaise with the FCT Sport Council in the organization of sporting activities within the Area Council with a view to bringing up gifted and talented youths for sporting activities in the state.

(iii) Any other function(s) incidental to or as may be assigned to it by the Council.

Powers and Functions of Trade Unit—

The Trade Unit of the Community and Social Department shall be responsible for the following :

- (i) Identification and allocation of trade sites within the Area Council.
- (ii) Organization and/or participation in trade fairs of all categories whether within the Area Council or at National Level.
- (iii) Supervision and keeping of an up-to-date data on small, medium and large scale industries within the Area Council.
- (iv) Co-ordinate and recommend to the Council, prospective cooperative societies for registration.
- (v) Recommendation of eligible fuel seller to the Minister of FCT for the issuance of trade licenses.
- (vi) Any other function(s) incidental to or as may be assigned to the Council towards boosting trade activities in the locality.

(III) WORKS AND HOUSING DEPARTMENT

The Works and Housing Department shall be divided into six (6) Sections namely :

- (i) Road Section ;
- (ii) Technical Section ;
- (iii) Rural Water supply Section ;
- (iv) Electrical Section ;
- (v) Land Section ;
- (vi) Building Section.

Functions of Road Section—

The Road Section shall be responsible for the following :

- (i) The provision and maintenance of roads within the Area Council.
- (ii) Any other function(s) incidental thereto or as may be assigned to it by the Council.

Functions of Technical Section—

The Technical Section shall observe and oversee technical services financed by the Area Council.

Functions of Rural Water Supply Section—

The Rural Water Supply Section shall be vested with the following functions :

- (i) Provision of good water in the Area Council for domestic consumption either by hand dug well, hand pump wells, boreholes, pipe born, water tanker, etc.

(ii) Provision of necessary materials for the maintenance of effective performance of the above mentioned water generating source or any other not herein mentioned.

(iii) Organize and conduct in collaboration with the information unit of the community and social development enlightenment campaign on population on the collective role in the maintenance of the water generating devises so provided.

(iv) Any other function(s) incidental to the provision of good water in the Area Council or as may be assigned to it by the Council.

Functions of Electrical Section—

The Electrical Section shall be responsible for the following :

(i) Provision of rural electrical supply within the available, affordable and limited resources of the Council.

(ii) Provision of necessary materials for the maintenance and effective performance of the power generating systems.

(iii) Liaise with the state rural electrification board and the national power supply company.

(iv) Any other function(s) incidental thereto or as may be assigned to it by the HOD or the Council towards ensuring the provision of electricity to the communities in the Area Council.

Functions of Lands Surveying Section—

The functions of the Land Surveying shall include the following :

(a) Identification, designation and demarcation of plots for residential, commercial, agricultural and other related purposes within the Area Council.

(b) Liaise with the Development Control Unit of the Federal Capital Development Authority (FCDA) in matters relating to approval of plans or buildings thereof.

(c) Grant permission or approval for the erection of buildings in the Area Council.

(d) Any other function(s) incidental thereto or as may be assigned to it by the Council.

Functions of Building Sections—

The Building Section shall be responsible for the following :

(i) Construction of Culverts and Drainages.

(ii) Clearing of blocked culverts and drainages.

(iii) General Building.

(iv) Any other functions incidental thereto or as may be assigned to it by the HOD or the Council.

(IV) MEDICAL AND PRIMARY HEALTH CARE DEPARTMENT.

The Medical and Primary Health Care Department shall be divided into three (3) Units as follows :

- (i) Curative Unit ;
- (ii) Preventive Unit ;
- (iii) Environment Unit.

Functions of Curative Unit—

The Curative Unit shall be vested with the following responsibilities :

- (i) Treatment of persons afflicted with some ailments.
- (ii) Organize and carry out rehabilitation programs.
- (iii) Keep and dispense drugs and other medications.
- (iv) Organize and conduct preventive enlightenment programs within the Area Council.
- (v) Liaise with the FCT Department of Health.
- (vi) Any other functions incidental thereto or as may be assigned to it by the Council.

Functions of Preventive Unit—

The preventive Unit shall be responsible for the following :

- (i) Prevention and control of infectious diseases in the Area Council in collaboration with the FCT Department of Health and Infectious Disease Hospitals.
- (ii) Organize and carry out educative and enlightenment programs on health related matters in both electronic and print media and by using public address system where the circumstances so demands.
- (iii) Carry out inspection of food stores, restaurants, fast food joints, bars, taverns and all other places of public resort where food or drinks are sold and consumed.
- (iv) Inspection of both small and medium scale industries with a view to ensuring compliance with the preventive health measures of both their staff and community at large.
- (v) Inspection of dwelling houses where such visit is intended to reveal unsound condition of the houses and its inhabitants with a view to forestalling outbreak of diseases in the neighbourhood and the Area Council in general.
- (vi) Carry out detailed investigation on any outbreak of communicable diseases and suggest possible ways of avoiding reoccurrence of same in the future.
- (vii) Inspection of medicine, drugs and related products with a view to detecting and preventing the sale of fakes within the Area Council.

Functions of Environmental Unit—

The Environmental Sanitation Unit shall be responsible for the following :

(1) The Health Department

The Health Department shall have the power to carry out a survey of the affected areas with a view to isolating the affected areas and report same to the Sanitation Committee of the Area Council. This shall however be in conformity with the directives of the FCT Department of Health.

Power of Inspection Officer

(2) Inspection Officer

An Officer engaged in the inspection of an area within the Area Council shall have the power to do all and any of the following :

(a) Carry out the inspection between the hours of 8.00am to 4.00pm between Monday to Friday and before 2.00pm on Saturday.

(b) Confiscate any product which is in contravention of their commended health requirements.

(c) Enter any store, shop or house/building where he has reasonable ground to believe that it contains or harbours food or goods dangerous to human health.

(d) Not to be held liable personally for any act done in the lawful execution of his assignment.

(V) PERSONNEL MANAGEMENT DEPARTMENT

The Personnel Management Department shall have the following functions :

(a) Provide secretarial services to the Council.

(b) Co-ordinate the activities of all other departments within the Area Council.

(c) Be responsible for the general administration of the Area Council Staff.

Units of Personnel Management Department

The Personnel Management Department of Abuja Municipal Department Area Council shall have the following Units :

(a) Staff Office Unit ;

(b) Special Services Unit (SSU) ;

(c) Land Unit ;

(d) Legal Unit ;

(e) Planning Research and Statistics (PRS).

Functions of the Staff Office Unit—

The Staff Office Unit shall have the following functions :

(a) Processing papers and preparing briefs for recruitment, promotion and discipline of staff.

- (b) Processing of pension and gratuity papers.
- (c) Assist in the administration of staff department.
- (d) Prepare and process staff vacation, recruitment and formalization.

Functions of the Special Services Unit—

The functions of the Special Unit Service includes the following :

- (a) Liaise with security agencies and other security personnel in providing an up-to-date security report within the Area Council.
- (b) Settlement of land disputes, through arbitration and reconciliation.
- (c) And any other function(s) to be assigned by the Council.

Functions of Lands Unit—

The functions of the Land Unit shall include the following :

- (a) Supervise, process and administer land matters generally within the Area Council.
- (b) Process change of ownership certificate, letter of grant, searches, commission rates and issuance of certificate of indigenization.

Functions of the Legal Unit—

The functions of the Legal Unit shall include the following :

- (a) Draft and vet Local Government bye-laws and regulations and contract documents.
- (b) Render legal advice to the Area Council.
- (c) The Legal Officers shall attend to Court matters involving the Council.
- (d) Prepare legal document relating to the administration of the Area Council.
- (e) Perform such other duties as may be assigned by the Area Council authority.

Functions of the Planning, Research and Statistic Unit (PRS)

The functions of the Planning, Research and Statistic unit (PRS) shall include the following :

- (a) Collect and collates of departments in the Area Council.
- (b) Store and document information in respect of Local Government Administration, policy guide lines and traction circulars.
- (c) Such other duty/duties as may be assigned to it by the Council.

(VI) THE TREASURY AND FINANCE DEPARTMENT

The functions of Treasury Department of the Treasury and Finance shall include the following :

- (a) Collection of revenues for the Local Government directly through the staff of the department/council or in concert with technical partners or agents.
- (b) Keep and maintain regular records of the Local Government's Accounts.

- (c) Payment of all staff salaries, allowances, gratuities, etc.
- (d) Keep accounts for recurrent and capital expenditures of the Area Council.

Issuance of license Procedures for Issuance.

5.—(1) Any person or organization undertaking or who wishes to undertake any of the of license businesses listed in the schedule to this Bye-Law shall obtain a license for that purpose from the Area Council :

(a) In granting such license, the fees listed in schedule two (2) to this Bye-Law shall obtain a license for that purpose from the Area Council.

(b) Any license granted pursuant to subsection (1) of this Section shall be renewable every year upon payment of 75 per cent of the fees listed in the schedule two (2) to this Bye-Law.

(c) License and revenue fees listed in schedule two (2) of this Bye-Law may be paid by monthly instalment.

(d) Every auctioneer and prospective auctioneer shall obtain a license for that purpose upon the payment of such amount as contained in schedule two (2) to this Bye-Law.

(e) Such license shall expire after one year upon the payment of such amount listed in schedule two (2) to this Bye-Law.

(f) Provided that this Section shall not apply to officers of the Local, State and/or Federal Government.

Application and grant of Licence.

6.—(a) Application for a license shall be made in writing to the relevant authority of the Local Government.

(b) Before granting any license under this Bye-Law, the licensing office shall make such same without explanation.

(c) Any person to whom a license has been refused may appeal to the Council of the Area Council which may direct otherwise.

Revocation of License.

7. The council may on the recommendation of the licensing authority suspend or revoke the license of an auctioneer.

DULY PASSED by the Abuja Municipal Area Council Legislative Arm.

PART III—ABUJA MUNICIPAL COUNCIL :
REGISTRATION OF MARRIAGES, BIRTHS AND DEATHS BYE-LAW (No. 2) 2012.

ENABLING LAW :

In accordance with the provisions of Section 7 and the fourth schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and other enabling laws, Abuja Municipal Area Council hereby promulgates the following Bye-Law :

1. This Bye-Law may be cited as the Registration of Marriages, Births and Deaths Bye-Law 2012. Citation.

2. "Appointee" herein means any person appointed by the Area Council. Interpretation.

"Birth" herein means bringing forth a child dead or alive from the uterus of woman by natural means or with the aid of a Medical Doctor by means of a Caesarean operation or in any manner howsoever.

"Court" herein means an Area Court.

"Death" herein means termination of life by any cause.

"Medical Officer" herein means any Staff of a Health Centre who has the duty of treating Parents.

"Married Couples" herein means parties to a Customary or Islamic Law Marriage or any other kind of Marriage other than Statutory Marriage.

"Registrar" herein means a person appointed as such by the Area Council to keep the registrar of marriages, deaths and births.

"Area Council" means Abuja Municipal Area Council.

"Traditional Chief" herein means a traditional head of a village, ward, community or town whether or not he enjoys salaries.

"Ward Chief" herein means any person that is the leader of any ward/group.

3.—(1) There shall be registration zones for marriages, births, and deaths. Registration Zones.

(2) The Traditional Chief, Ward Head or Appointee within these Zones shall be responsible for the collection of names of parents into whose families children are born or in whose families any death is recorded and also names of newly married couples.

4. No party to a marriage shall be granted any relief sought by him in a Court in relation to such marriage if he does not produce a Certificate of Registration such marriage. Production of Certificate in Court.

PROVIDED however that any receipt for the payment of fees for such registration shall be sufficient proof of the registration of such marriage.

5.—(1) There shall be the registrar of marriages, births and deaths who shall : Registration of Marriages and Deaths.

(a) Enter into the register the name of any dead person ;

(b) Enter into the register the names of parents of a new born baby and the name of such baby ;

(c) Enter into the registrar the names of newly married couple. a. Collect such fees as the Area Council may prescribe from time to time.

(2) The registers in this Section shall be called the Registers of Deaths, Births and Marriages respectively.

Separate Registers.

6. The Registrar shall maintain separate registers for the registration of deaths, births and marriages and the pages of such register shall be as shown in the First/Second Schedule hereto.

Concealment of marriages, deaths and births.

7. Any person who conceals, takes any step to conceal any information that relates to the birth, death or marriage of any person from a Chief or any appointee of the Area Council shall be guilty of an offence and upon conviction, shall be liable to Fourteen days imprisonment.

Failure to register.

8. Any person who fails, neglects or refuses to register any birth, death or marriage in accordance with this Bye-law shall be guilty of an offence and upon conviction be liable to pay Five Hundred Naira fine or imprisonment for Three Months.

PROVIDED further that a marriage, death or birth that occurs outside the Area Council need not be registered.

Forwarding of Information.

9. A Chief, Ward Head or any Appointee shall forward to the Area Council information relating to any death, birth or marriage within his zone/group before the expiration of the month next to the one of such death, birth or marriage.

Marriage before this Bye-Law.

10. No marriage contracted within the Area Council before this Bye-law shall be dissolved by any Court or any relief thereof granted until such certificate in accordance with this Bye-law is produced by a party seeking the relief.

PROVIDED however that notwithstanding anything contained in this Bye-law, a Court may summon the Registrar to find out if a marriage has been registered or the loss of a certificate or receipt is alleged by any person.

Persons to Report Deaths, Births, and Marriages.

11. Deaths, Marriages, Births shall be reported for registration by the person shown in the second schedule hereto upon receipt of information of such deaths, marriages and births from the relations, parties or parents of the child as the case may be.

Prohibition of continuing treatment.

12. No Medical Officer shall continue to treat a child whose birth is not shown in the first schedule hereto.

Production of Certificate upon demand.

13. The death, birth or marriage certificate shall be produced by its holder upon the demand of any appointee of the Area Council or a Police Officer.

- 14.—(1) The deaths and births of persons which occurred before this Bye-Law need not be registered. Death and Birth before this Bye-Law.
- (2) Upon the death of a Ward Head or Chief, his successor shall perform functions conferred on him by this Bye-Law.
15. The Area Council may delegate any power conferred on it by this Bye-law to any person. Delegation.
16. Any child born dead shall be registered in the registers of birth and death simultaneously. Registration of child born dead.
- 17.—(1) Any person who contravenes any provision of this Bye-Law shall be guilty of an offence and upon conviction shall be liable to Three Months Imprisonment or Five Hundred Naira fine. Offences and Penalties.
- (2) The Complainant in such case shall be the Area Council and the fine paid by any Court shall accrue as revenue to the Area Council.

REGISTRATION OF MARRIAGES, BIRTHS AND DEATHS
 BYE - LAW (No.2) 2012

FIRST SCHEDULE SECTION 6

A page of the Register of Marriages

<i>S/No.</i>	<i>Names of Parties</i>	<i>Residential Address</i>	<i>Date of Birth</i>	<i>Place of Birth</i>	<i>Marriage Type</i>	<i>Date & Place Contracted</i>

<i>S/No.</i>	<i>Names of Parties</i>	<i>Residential Addresses</i>	<i>Date of Birth</i>	<i>Place of Birth</i>	<i>Sex of Child</i>

A page of the Register of Births

<i>S/No.</i>	<i>Names of Parties</i>	<i>Residential Address</i>	<i>Date of Birth</i>	<i>Place of Birth</i>	<i>Sex of Child</i>	<i>Date of Death</i>	<i>Likely cause of Death</i>

REGISTRATION OF MARRIAGES, BIRTHS AND DEATHS
BYE-LAW (No.2) 2012

SECOND SCHEDULE SECTION II

Marriage Any one of the Couples

Birth Any one of the Parents

Death Any of the Next of Kin of deceased

MADE at Abuja Municipal Area Council this day.....

EXPLANATORY NOTE

(This note does not form part of this Bye-law and has no legal effect. The purpose of this Bye-law is to enable the Area Council obtain information on the number of marriages, births and deaths that occur in each year for future planning purposes).

PART IV—ABUJA MUNICIPAL AREA COUNCIL
MOTOR PARKS (COMMERCIAL VEHICLES PICKING UP PASSENGERS)
BYE-LAW (No. 3) 2012

ENABLING LAW :

Pursuant to the provisions of sections 7 and the fourth schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-law;

MOTOR PARK (COMMERCIAL VEHICLES PICKING-UP PASSENGERS)

Motor Parks
(Commercial)
Vehicle
Picking up
Passengers.

1.—(1) No Person in charge of a commercial motor vehicle shall pick-up or drop passengers or their goods within Abuja Municipal Area Council except at a motor park, bus stop or a place designated for such purpose.

(2) The Council may restrict the parking of vehicles in a motor park to any class of vehicles and may erect notices at the entrances of any motor park indicating the class of vehicles which may be parked therein.

(3) No person or authority shall operate a private motor park, without the consent and permission of the Council first sought and obtained.

(4) The Council may appoint any person whether individual or body corporate as attendant who shall have charge at a motor park, and to collect fees and enforce compliance with the provisions of this Bye-Law from time to time.

(5) Any person entering a motor park shall observe and obey the instructions of the attendant or other duly authorized officer(s) of the council as to the control of the vehicles, carts, goods, animals and persons therein.

(6).—(a) Any person using a motor park shall at any time between the hours of 6.00 am when the park shall open and 6.00 pm when the park shall close pay to the attendant or any duly authorized officer(s) of the Council a fee which is equivalent to 10% of the total earning per loading hereto or as may be reviewed from time to time by the Council. The amount mentioned in this section shall be paid by way of obtaining a ticket or receiving a receipt upon payment to the authorized officer.

(b) Any person operating commercial motor vehicle within Abuja Municipal Area Council including a motor vehicle used for car hire services or for inter-state transport and on any feeder road within the Council but not using a motor park shall at any time before 10.00am (Mondays to Saturdays) or on demand pay to the attendant or any duly authorized officer of the Council, a fee which is equivalent to the earning per loading as stipulated in the preceding sub-section or as may be reviewed from time to time by the Council and failure to obtain a ticket after 10.00am shall attract a fine of ₦25,000 or ₦35,000 depending on the attitude of the offender as to whether he is a first offender and remorseful.

(c) The attendant or other authorized officer of the Council shall issue a ticket or receipt in the form authorized by the Council in respect of any fees paid under this section.

(d) Any person operating commercial motor vehicle within Abuja Municipal Area Council including a motor vehicle used for car hire services or for interstate transport and those also using a motor park shall on demand by any official or authorized agent of the Council show evidence of payment of the fees herein anytime after 10am and the production of such evidence afterwards shall not prevent the booking of the offender.

2.—(1) Any person who contravenes or fails to comply with any provision of this Bye-Law shall be guilty of an offence and liable on conviction to a fine as specified in this Bye Law, or to imprisonment for a period not exceeding three (3) months or both.

Offence/
Penalty.

(2) Any person who obstructs, hinders, molests or assaults any person or attendant authorized by the Council to collect fees hereunder, or to enforce this Bye-Law shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding six months.

3.—(1) Magistrate Court and Area Courts of Whatever Grade have jurisdiction to try any person who contravenes or fails to comply with any provision of this Bye-Law.

Jurisdiction
of Court.

(2) The Council may constitute and/or establish a mobile Court to try any person who contravenes or fails to comply with any provision of this Bye-Law.

(3) The Court shall have powers to order that any vehicle in respect of which an offence has been committed under this Bye-Law be impounded until the provisions of the Bye-Law are complied with and any fine imposed by it paid, and to order its release upon compliance with the said provision(s) and payment of such fine.

4.—(i) The Council or its duly authorized officers or any attendant shall operate in conjunction with officers of the Vehicle Inspection Officer (VIO), Federal Road Safety Corps, Nigeria Police or Civil Defence Corps to enforce compliance at the motor parks and along the roads.

Enforcement.

(ii) The Council or its duly authorized agent shall have the power to enter upon any park (whether Public or Private) between the hours of 6am and 6pm to ascertain the compliance with the provisions of this Bye-Law and in so doing may clamp the wheels of any defaulting vehicle for two (2) hours after which the defaulting vehicle shall be towed to a pound yard or any authorized venue until the owner complies with the provisions of this Bye-law. A clamped vehicle shall be issued with a Ticket/Notice (as in the schedule to this Bye Law) stating the offence and mode of compliance.

Interpretation.

5. For the purposes of enforcement of this Act, the Council and/or its authorized Staff/Agent are empowered to demobilize, tow, clamp or, in any other way whatsoever reasonable, restrict the movement of a contravening vehicle.

Miscellaneous.

Interpreta-
tion.

6. Under the provision of the Motor-Parks Bye-Law—

“*The Council*” means Abuja Municipal Area Council ;

“*Attendant*” means a person appointed as such under Section 1(4) of this Bye-Law ;

“*Booking*” means allowing the driver to load ;

“*Cart*” means any type of load-carrying vehicle drawn or pushed by an animal or by hand ;

“*Commercial motor vehicle*” means a mechanically propelled road vehicle used to carry goods or passengers for hire or reward ; and this shall also include tricycles and motorcycles ;

“*Court*” means Magistrate Court or Area Court of any grade or any appropriate Tribunal constituted by the Council under this Bye-Law ;

“*Goods*” means goods including livestock for which freight is paid or is payable ;

“*Motor Park*” means any parking place lawfully designated by the Council as a Motor Park where commercial motor vehicles assemble for loading and off-loading of passengers or goods ;

“*Persons in-charge of a commercial motor vehicle*” means the owner, the driver or other person(s) for the time being having control of such vehicle ;

“*Private motor vehicle*” means a motor vehicle other than a commercial motor vehicle.

Repeal.

7. This Law repeals the AMAC (Motor Park) Bye-Law, 2012.

DULY passed by the Abuja Municipal Area Council Legislative Arm.

SCHEDULE

It is an offence for an authorized person to remove or interfere with this notice.

ABUJA MUNICIPAL AREA COUNCIL

MOTOR PARKS (PARKING) DEFAULTERS NOTICE. AMAC.....

DEFAULTER'S CHARGE NOTICE (DCN)

(ABUJA MUNICIPAL AREA COUNCIL MOTOR PARKS
(COMMERCIAL VEHICLES PICKING-UP PASSENGERS) BYE-LAW, No. 3 OF 2012)

Veh. Reg. No.....

Location.....

Zone Mark.....

Date.....

Time.....

Offence Code :

--	--

In contravention of a prohibition or restriction imposed under Abuja Municipal Area Council Motor Parks (commercial vehicles picking up passengers) Bye-Law, No. 3 of 2012.

The vehicle bearing the identity mark as above, has been fitted with an immobilization device by the undersign being an authorized person for the purposes of Section 4 of Abuja Municipal Area Council Motor Parks (Commercial Vehicles Picking Up Passengers) Bye-Law, No. 3 of 2012.

Arrangement will be made for the removal of the immobilization device following the payment by the owner of the vehicle (or person authorized by the owner) of the prescribed charge of :

₦25,000 TO ABUJA MUNICIPAL AREA COUNCIL

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I. D. No.
.....

Any Authorized Person or Agent/Enforcement Officer Signature.

Warning

No attempt should be made to drive this vehicle or otherwise to put in motion until the immobilization device has been removed. It is an offence for a person to interfere with a clamping device affixed to a vehicle.

Please refer to the reverse side of the immobilization Notice of payment methods.

PART V—ABUJA MUNICIPAL AREA COUNCIL ENVIRONMENTAL SANITATION AND PROHIBITION OF INDISCRIMINATE DUMPING OF REFUSE SILTS AND OTHER ENVIRONMENTAL HEALTH OFFENCES BYE-LAW, (No.4) 2012

ENABLING LAW :

In accordance with the provisions of Section 7 and the fourth Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and other enabling Laws, Abuja Municipal Area Council hereby promulgates the following Bye-Law :

ENVIRONMENTAL SANITATION AND PROHIBITION OF INDISCRIMINATE DUMPING OF REFUSE SILTS AND OTHER ENVIRONMENTAL HEALTH OFFENCES

1. As from the commencement of this Bye-Law every owner, tenant and occupier of any building shall :

Duty of owner, tenant, occupier, etc.

(a) Keep clean the gutter area along the building frontage sides and back at all times ;

(b) Bind all old newspapers, loose papers, rubbish and rags before putting them for collection ;

(c) Put refuse into securely tied plastic bags or leak proof dustbins with tightly fittings lids ;

(d) Keep refuse dustbins within their premises until the time for collection ;

(e) Ensure that refuse dustbins are covered at all times with tight fitting cover ;

(f) Not dump yard sweeping, hedge cutting, grass, leaves, earth, stones, bricks or business waste with household refuse ;

(g) Not use dustbins which may be leaking or permitting litter to escape or which might injure people handling them ;

(h) Not litter, sweep out, or throw ashes, refuse, paper, nylon and rubbish into any street, public place or vacant plot ;

(i) The occupiers of the premises shall remove daily, all refuse to a public refuse depot, or dispose of it in such a place as the Health Officer shall approve.

2. As from commencement of this Bye-Law, every tenant, and occupier of any building shall ensure the cleanliness of his premises particularly the backyard and the courtyard.

Cleanliness of backyard.

3. As from the commencement of this Bye-Law every owner or operator of a restaurant, hotel, night club, clinic/hospital or school shall ensure the cleanliness of all toilets and bathrooms within the premises.

Cleanliness of Toilets/ Bathrooms. Restaurants/ Hotels etc.

4. Every operator of hotel, restaurant, bakery, factory within the Area Council shall on instruction of the Medical Officer of health immediately ensure the disinfection of the premises to prevent invasion of mosquitoes, rats, mice, larvae and other such parasites that may endanger the health of the public.

Disinfection of Hotel, Restaurant, Bakery, Factories, etc.

B 290

Use of sanitary litter bins.

5.—(1) No pedestrian shall dispose of any scrap paper, newspaper, candy wrapper, fruit peels and similar refuse anywhere except in litter bins. To this end, the Council shall provide street bins.

(2) No person shall use household litter bins for commercial or industrial waste.

Every commercial vehicle to carry litter bin.

6.—(1) As from the commencement of this Bye-Law every Commercial vehicle in the Area Council shall carry a litter bin for the passengers use.

(2) No passenger shall throw any litter fruits peel, scrap paper or other items unto the road from any vehicle.

(3) Where no litter bin is provided, the driver shall be liable for any contravention of sub-section (2) of this Section.

Obstruction and improper disposal or dumping of refuse.

7.—(1) All side walk shall be free from obstruction to allow free flow of pedestrian traffic.

(2) All street shall be free from obstruction and from construction or demolition materials.

(3) No person shall use another person's dustbin in his or another building far or near from where he resides.

(4) No person shall dump indiscriminately any domestic, industrial or commercial waste or discarded vehicles spare parts or tyres along highways, roads channels gorges, vacant land directly or through private operators except at designated refuse disposal sites.

Disposal of refuse.

8. No person shall dispose of domestic refuse or waste except through private sector participation operator.

Prohibition of pasting of posters, etc.

9. No person shall :

(a) Paste any handbills, posters, notice, sign or advertisements that bear the name of his organization or business by side walk, trees, bridges, dustbins, hydrant, highway or on any street without the permission of the Area Council authority.

(b) Tear down deface or destroy any notice, handbills, sign, advertisement or posters put up or posted by or under the direction of the government or any of its agency.

Structures on road, set-back, track and abuse of open space.

10. No person shall :

(1) Construct or put up any structure on roads rails, foot ;

(2) Use any road, street or other set-back as mechanic workshop ;

(3) Defecate or urinate in drainage or any open space ; and

(4) Organize or hold any social parties or religious activities on any major road.

11.—(1) No person shall dig across any road for any purpose without prior written approval or permit from the Area Council Authority. Prohibition of cutting of road without approval.

(2) It shall be the duty of the person who lawfully digs a road to reinstate the part of the road dug within seven days.

(3) The reinstatement referred in sub-section (2) of this Section shall be considered undone until an assessment is made by the Area Council head of works as the case may be.

12. There shall be payment for such permit referred to in sub-section (1) of Section 11 of this Bye-Law, the sum of ₦20,000.00 (Twenty Thousand Naira Only) which fee shall be subject to review by the Abuja Municipal Area Council as at when necessary. Fees for permit.

13. Every person shall :

(a) Clean and maintain any drain in the frontage, sides or rear of his tenement or building, and Maintenance of Drains Sewage spit tanks.

(b) Provide suitable holding tank for liquid waste or sewage liquid and ensure regular evacuation and disposal of same.

14.—(1) Every grantee, lessee, or licensee of any vacant land shall ensure that there is no heap of refuse, rubbish, overgrown weeds or offensive material on such land. Vacant lands.

(2) No person shall use heap of refuse or rubbish to fill vacant land, swamp, gorge or marshy land. Covered vehicles container to transport refuse.

15.—(1) All vehicles or containers used in and for transporting or conveying transport refuse shall be securely covered in such a way that the content do not litter the road.

(2) Where a vehicle or container issued in transporting or conveying refuse contrary to sub-section (1) of this Section, the driver or carrier shall be guilty of an offence under this Bye-Law.

(3) All domestic refuse must be packed in plastic waste bags before disposal.

(4) All waste from markets, restaurants, schools, shops, religious premises and other commercial institutions shall be packed in plastic waste bags before disposal.

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Prohibition of waste burying, storage or burning of trade waste on tenement and use of incinerator without permit.

16. No person shall :

(1) Burn or bury refuse on any tenement or open place, throw or bury industrial or commercial waste on any tenement.

(2) Erect, construct or use an incinerator permit without prior approval or permit by the Abuja Municipal Area Council.

Silt Removal.

17. No person shall leave silt, earth or other materials, excavated during construction or materials, drains on the roadside beyond 48 hours.

Obnoxious or Poisonous Waste.

18. No obnoxious, toxic or poisonous waste shall be deposited in a waste dustbin.

Payment of Waste Disposal/ Sanitation levy.

19. As from the commencement of this Bye-Law every premises shall pay Waste Disposal/Sanitation levy as specified under the first schedule to this Bye-Law.

Offence and Penalties (Second Schedule).

20.—(1) Any individual who contravenes or fails to comply with any of the provisions of sections 1-18 of this Bye-Law is guilty of an offence and shall, on conviction be liable to the fine specified under the second schedule to this Bye-Law.

(2) Where an offence has been committed under this Bye-Law by a Company or Corporate Body such a company shall on conviction be liable to a fine of as reflected on the second schedule to this Law.

Registration of Private Refuse Operation.

21.—(1) As from the commencement of the Bye-Law, no person shall establish, carry on or run a private refuse collection outfit except such outfit is registered with the Abuja Municipal Area Council.

(2) All Tenements, Markets, Motor parks, Stores and other places shall provide a standard waste bin with tyre for the collection of domestic, garden and commercial refuse to designated landfill sites.

(3) Any person who fails to patronize the appointed private refuse operator shall be liable to fines and/or other penalties as specified under the schedule to this Bye-Law.

Designation of Refuse Disposal Site.

22. For the purpose of this Bye-Law, refuse disposal sites for deposit of refuse or waste shall be designated by the Area Council.

23. Any private refuse collection operator who fails to register with the Area Council and to obtain a license from them is guilty of an offence and shall be liable to fine or imprisonment as specified under the schedule to this Bye-Law. Offence and Penalties (Second and Third Schedule).
- 24.—(1) Authorized Officers of the Abuja Municipal Area Council or any other Law Enforcement Agent authorized in writing by the Abuja Municipal Area Council may between the hours of 8.00am and 6.00pm enter and examine any tenement or frontage, back or any side of a tenement in order to ascertain the existence of any nuisance. Power of the Area Council.
- (2) The Area Council may authorize in writing any of its officers to :
- (a) Inspect any open space, public place, recreation ground, drain or drainage system, restaurants and such places as may be designated.
- (b) Carry out other works in a lawful manner on a drainage system for the continuous flow of such drain or drainage system.
- (3) The Area Council may construct any structure which may be deemed necessary for the clearing or inspection of drain or Drainage system.
25. Any person who obstruct any authorized officer or any person engaged in carrying out the provisions of this Bye-Law is guilty of an offence and upon conviction shall be liable to a fine of ₦50,000.00 (Fifty Thousand Naira Only) or to imprisonment of six months. Offence and Penalties.
- 26.—(1) Authorized Officers of the Local Government in writing by the Abuja Municipal Area Council shall, if satisfied of the existence of a nuisance serve an Abatement Notice on the offender. Issuance of Abatement Notice (Third Schedule).
- (2) Any person who upon being served with the notice referred to in subsection (1) of this Section fails to abate the nuisance is guilty of an offence and shall be liable to a fine of—
- (a) ₦20,000.00 (Twenty Thousand Naira Only) in the case of individual.
- (b) ₦100,000.00 (One Hundred Thousand Naira) in case of a company.
27. If the Authorized Officer of Health considers that any premises used as hotel, restaurant, guest houses, motels, bakeries, food manufacturing, food preserving and food processing establishment should in the interest of the public health be closed, he may by notice in writing prohibit the proprietor or occupier from using such premises for any such purposes until such time as such prohibition shall be withdrawn. Closure of the Premises.
28. Any person who commits a nuisance or an offence under this Bye-Law may be arrested by a Police Officer or an authorized Sanitary Officer. Arrest of Offenders.
29. The Chairman may from time to time make regulations generally for the purpose of carrying into effect the provisions of this Bye-Law and specifically for the following :
- (a) Period for carriage of waste of any description through the street ; Regulations.

- (b) Poisonous or dangerous matter, domestic refuse, industrial or commercial waste from any tenement ;
- (c) Design of dustbin, incinerator, refuse chute, refuse containers and waste receptacles ; and
- (d) Design of beautification and conservation projects and programs.

Restriction on Civil proceedings.

30. No civil proceeding of any kind whatsoever shall without the written consent of the Attorney-General be brought against any person for damages or compensation in respect of any measures taken or to be taken under this Bye-Law to promote environmental sanitation and/or prevention of outbreak of epidemic.

Interpretation.

31. In this Bye-Law, unless the context otherwise requires—

“Industrial Waste” means waste generated from any premises used wholly or partially for the purpose of manufacturing or servicing operation or business and it includes waste from mines or quarry ;

“Owner” means a landlord, a state lessee, a joint owner, tenant for life, mortgages in possession or any persons in actual possession and it includes a person acting with the authority of the owner ;

“Person” means an individual and shall include a limited liability company or an organization duly registered under the Company and Allied Matter Act 1990 ;

“Refuse” means garbage and other discarded solid material from agricultural operations and from community activities and it includes solid scrap building materials ;

“Structure” includes a fence, kiosk, stationary vehicle used for the display of wares or cafeteria ;

“Tenement” means land with building which is held or occupied as distinct or separate holding or tenancy of any wharf of pier and it includes a shop or market stall ; and

“Waste” includes waste of all description of any substance which constitutes scrap materials, an effluent or other unwanted substances arising from application of any process.

Citation.

32. This Bye-Law may be cited as the Environmental Sanitation and Prohibition of Indiscriminate Dumping of Refuse Silts and other Environmental Health Offences Bye-Law, (No. 3) 2012.

SCHEDULES

FIRST SCHEDULE (SECTION 19)

CHARGEABLE RATES FOR WASTES DISPOSAL/SANITATION LEVY

S/No.	Establishment	Monthly (Charges) N	Annual Rate N
1.	Factory/Industry	25,000.00	300,000.00
2.	Corporate Organization	10,000.00	120,000.00
3.	Departmental Stores/Super Stores	15,000.00	180,000.00
4.	Super Market	10,000.00	120,000.00
5.	Petrol Station	10,000.00	120,000.00
6.	Furniture Store/ Show Room	10,000.00	120,000.00
7.	Hotel/Apartment	13,000.00	156,000.00
8.	Guest Inn/Motel	10,000.00	120,000.00
9.	Bakery	8,000.00	96,000.00
10.	Printing Press	10,000.00	120,000.00
11.	Cinema House	20,000.00	240,000.00
12.	School	10,000.00	120,000.00
13.	Hospital/Clinic	10,000.00	120,000.00
14.	Cafeteria	12,000.00	144,000.00
15.	Restaurant	10,000.00	120,000.00
16.	Buka	1,000.00	12,000.00
17.	Shop	1,000.00	12,000.00
18.	Workshop	1,000.00	12,000.00
19.	Kiosk	1,000.00	12,000.00
20.	Car Stand	5,000.00	60,000.00
21.	Small and Medium Scale Manufacturers	1,000.00	120,000.00
22.	Warehouse	10,000.00	120,000.00
23.	Shops in the Market	1,000.00	12,000.00
24.	Kiosk/Open Space in the Market	750.00	9,000.00
25.	Shops in Motor Park	750.00	9,000.00
26.	Residential Apartment	3,000.00 (per flat)	36,000.00
27.	Hawkers	50.00	600.00
28.	Mai-shayi/Suya Sport	50.00	600.00

SECOND SCHEDULE

FOR ALL MERCHANTS, CORPORATE ORGANIZATIONS, BUSINESS STORES, RESTAURANTS, HOTELS, ETC FINES (SECTION 20)

S/No.	Violation	Minimum	Maximum	Imprisonment
1.	Failure to clean sidewalk	1,000.00	3,500.00	1 month
2.	Littering/Throw-out	2,000.00	5,500.00	1 month
3.	Sweep-out	1,000.00	2,000.00	1 month
4.	Failure to use proper dust bins	25,000.00	50,000.00	1 month
5.	Failure to cover dust bins	10,000.00	25,000.00	6 months
6.	Improper placement of dust bins	10,000.00	25,000.00	1 month
7.	Loose rubbish	5,000.00	10,000.00	1 month
8.	Exposure to material	10,000.00	20,000.00	1 month
9.	Failure to separate waste	10,000.00	20,000.00	1 month
10.	Sidewalk obstruction	25,000.00	50,000.00	6 months
11.	Street obstruction	25,000.00	50,000.00	1 year
12.	Commercial waste disposal	50.00.00	100,000.00	1 year
13.	Illegal dumping of refuse	50,000.00	100,000.00	6 months
14.	Posting of Bills	50,000.00	100,000.00	2 months
15.	Protection of city advertisement	7,000.00	12,000.00	6 months
16.	Structure on road setback and drainage alignment	30,000	(Fine and demolition of structure	3 years
			60,000.00	
17.	Failure to clean drains	20,000.00	25,000.00	6 months
18.	Sewage disposal (Company)	100,000.00	200,000.00	3 years
19.	Waste burning	20,000.00	50,000.00	6 months
20.	Storage of trade waste	20,000.00	50,000.00	6 months
21.	Burning of the waste	20,000.00	50,000.00	6 months
22.	Silt depositing along drains	25,000.00	50,000.00	3 years
23.	Direct dealing with unregistered private refuse contractors	5,000.00	10,000.00	1 month
24.	Cutting of road by company without approval	300,000.00	500,000.00	2 years
25.	Sealing up of motor parks, markets, stores and other places of business	25,000.00	50,000.00	2 years

DULY passed by the Abuja Municipal Area Council Legislative Arm this 2nd day of January, 2012.

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Dear Sir/Madam,

ABATEMENT OF NUISANCE NOTICE UNDER ENVIRONMENTAL
SANITATION BYE-LAW

Inspection carried out under the above mentioned Bye-Law on tenement situate at within Abuja Municipal Area Council on has revealed that you have failed to keep your tenement and its surrounding free from filth, rubbish, refuse or waste of all description and/or abate the said nuisance within three (3) days after the service of this notice the provisions of the above-named Bye-Law will be enforced and you will be prosecuted as provided by the Environmental Sanitation Bye-Law, No. 3 of 2012.

.....
Head of Environmental Health Services Dept.

PART VI—ABUJA MUNICIPAL AREA COUNCIL
CONTROL OF ADVERTISEMENT BYE-LAW, (NO. 5) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the fourth schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

CONTROL OF ADVERTISEMENT

Prohibition of display advertisement without permit.

1.—(1) As from the commencement of this Bye-Law no person shall display an advertisement within Abuja Municipal Area Council Area without a permit issued by the Area Council.

Issuance of Permit.

(2)—(i) A permit may be obtained from the Area Council on application as set out in Form A and upon payment of the fee prescribed in the First Schedule and depending on the various Categories as contained in the said Schedule to this Bye-Law.

(ii) A permit under this Bye-Law shall be set out in Form B in Second Schedule and shall be signed by the Council Manager on behalf of the Area Council.

Duration and Renewal.

2.—(1) Any permit issued shall expire on the 31st December of the year of issuance of the permit.

(2) Any permit issued under sub-section (1) of Section 1 of the Bye-Law shall be renewed annually on payment of a prescribed fee for the type of advertisement. Form C may be used for this purpose.

Refusal to Grant/ Renewal of Permit.

3.—(1) An application made under sub-section (2) of this Bye-Law may be refused upon the grounds set out in Form D.

(2) An application made under sub-section (3) (ii), of this Law may be refused upon any of the grounds listed in Form E or any reasonable grounds.

Temporary Permit.

4.—(1) A permit may be obtained on application for temporary display of an advertisement for the purpose of a visit, travels, circus, fair entertainment or anything of a similar nature within the Area Council.

(2) An advertisement mentioned in subsection 5 (i) above shall not exceed one square metre in area and not displayed above four (4) metres from ground level.

(3) No such advertisement shall be displayed earlier than seven (7) days before the first performance of the entertainment or the opening of the circus or fair.

(4) An advertisement for which a permit is granted under sub-section 5 (i) of this Bye-law shall :

- (a) Not be displayed or sited so as to obstruct, or hinder any road traffic sign or render hazardous the use of a highway, railway, inland water way, metro line signals or airfield ;
- (b) Be removed on the last day of event for which the permit was granted.
5. Without prejudice to the provisions of this Bye-Law, the Area Council may revoke or modify a permit if it appears expedient for it to do so, and may issue a notice as in Form F.
6. The Area Council reserves the right to reject any obscene language appearing on any advertisement to which a permit is sought.
- 7.—(1) Where it appears to the Area Council that any advertisement has been displayed without a permit, the Area Council may serve on the owner or occupier of the land and also on any other person known to be displaying the advertisement without permit or has displayed it in contravention of conditions, an enforcement notice as set out in Form G as the case may be.
- (2) If after a period specified in the enforcement notice, the notice is not complied with, the Area Council may remove the Advertisement at the expense of the person that displayed it.
- (3) Notwithstanding the provision of sub-section (8) (i) above, the Area Council shall demolish immediately any advertisement board declared by it to be dangerously displayed.
- (4) Where a person on whom an enforcement notice is served under this Bye-Law is aggrieved by the notice he may at any time within the period specified in the notice appeal against the notice to the Area Council which shall :
- (a) Withdraw the notice to which the appeal relates if it is satisfied that the advertisement was displayed with a permit or that it is not an advertisement to which this Bye-Law applies or that the conditions of the permit was complied with ;
- (b) Vary the notice to which the appeal relates if the Area Council is not so satisfied but satisfied that the requirements of the notice exceed what is necessary for restoring the land to its condition before the display ; and
- (c) Dismiss the appeal where it is satisfied that the notice is validly served. The decision of the Area Council shall be final.
8. An advertisement displayed prior to this Bye-Law shall continue to be displayed for a period of three months from the commencement of this Bye-Law during which time application shall be made by the owner for a permit and unless a permit is issued the display shall cease at the expiration of the three months.

Revocation
and
Modification
of permit.

Local Govt's
right to
reject
Obscene
Language.

Enforcement
Notice.

Existing
Advertis-
ment.

Application.

9.—(1) This Bye-Law shall apply to all advertisement displayed within the territorial jurisdiction of the Area Council.

(2) Without prejudice to the provisions of sub-section (1) (i) above this Bye-Law shall not apply to the following :

(a) Any advertisement relating specially to a pending General, Local Government or Bye-Elections ;

(b) Any advertisement required to be displayed by any enactment or standing orders of the National, State or Area Council Government ;

(c) Any advertisement in the nature of signs for the control, guidance or safety of Traffic, and displayed in accordance with an authorization given by the Secretary or Director responsible for Transport, Federal Road Safety Commission or by an Authorized Area Council or Police Officer.

Offence/
Penalty.

10.—(1) Any person who contravenes the provisions under this Bye-Law shall be guilty of an offence and liable upon conviction to a fine as follows :

(a) If an individual to a fine not exceeding Twenty Thousand Naira (N20,000.00) or a term of imprisonment not exceeding three (3) months or both ;

(b) If a Corporate Body to a fine of not less than N50,000.00 (Fifty Thousand Naira).

(2) In the case of a continuing offence, an individual shall be liable to a fine of N1,000 (One Thousand Naira) for each day during which the offence continues after conviction.

Court with
jurisdiction.

11. A Customary Court Grade A or B within the Area Council Area shall have jurisdiction to hear and try offences under this Bye-Law.

Interpreta-
tion.

12. In this Bye-Law, unless the context otherwise requires—

“*Advertisement*” means works, letter, model sign, placard, board notice, device or representation whether illuminated or not ;

“*Existing Advertisement*” means any advertisement which is being displayed prior to and at the date this Bye-Law came into force ;

“*Owner*” or “*Occupier*” means the person who owns or maintains the display of the advertisement, the owner or occupier of the land on which the advertisement is being displayed and it includes a person whose goods, trade or business is being advertised.

FIRST SCHEDULE		Section 1(2)(i)
S/No.	Type	Minimum N
1.	School Sign Board	10,800.00
2.	Neon Sign	20,200.00
3.	Metal Fixed	10,400.00
4.	Wooden Fixed	10,800.00
5.	Metal Standing (Two Faces)	10,800.00
6.	Metal Standing (Dual Face)	10,400.00
7.	Wooden Standing	10,000.00
8.	Wooden Standing (Two Faces)	20,000.00
9.	Electrical Fixed	15,000.00
10.	Plastic Fixed	15,000.00
11.	Electrical Standing	20,000.00
12.	Electrical Standing (Two Faces)	38,000.00
13.	Plastic Standing	20,000.00
14.	Plastic Standing (Two Faces)	38,000.00
15.	Special Sign Board	150,000.00
16.	Carving	8,000.00
17.	Banners	10,000.00
18.	Posters	5,000.00
19.	Tin Plates	20,000.00
20.	Advert on Cloth (Prior or Colour)	30,000.00
21.	Street Naming	50,000.00
22.	Major Highway/ Town Bill Boards	350,000.00
23.	Street Signs	60,000.00
24.	Lamp Plate Advert	60,000.00

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW, (No. 5) 2013

APPLICATION FOR DISPLAY OF ADVERTISEMENT SECTION 1(2)(f)

FORM A

1. Name, Address and Telephone No. (if any) of the Applicant.
2. Particulars of proposed Advertisement :
 - (a) Site of Advertisement.
 - (b) Nature of advertisement (Whether a hoarding, shop, sign, overhanging sign, etc.).
 - (c) Dimension of the Advertisement : height above the ground, extent of projection, etc.
 - (d) If illuminated, State type of illumination and colour (i.e. whether discharge tube neon).
 - (e) Does the application relate to any business, profession, trade or other activity carried on the building or on the land ?

Signature and Date.....

This application must be submitted in duplicate together with duplicate drawing showing type, size and shape of the proposed advertisement and its position in relation to adjoining property and the highway.

SECOND SCHEDULE

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW, 2012 SECTION 1(2)(ii)

FORM B

ADVERTISEMENT PERMIT.....

PERMIT NO.....

PERMIT IS HEREBY GRANTED TO.....

..... to display the advertisement as thereafter described and shown in the drawing and duly attached hereto subject to the terms and conditions as hereinafter set.

Situation of Premises/Location/Advertisement.....

Description of Advertisement.....

Dimension : *Height* : *Length* : *Breadth* :

The Holder of this Permit shall :

1. Maintain any hoarding of a similar structure, or any sign, placard, board erected or use principally for the purpose of displaying advertisement condition to the satisfaction of the issuing authority.
2. Maintain all advertisements displayed and land used for the display of advertisement in a clean and tidy condition to the satisfaction of the issuing authority, observe and be bound by the conditions specified under the Law.
3. Not to site or display any advertisement so as to obstruct any Advertisement or block interpretation of any road traffic sign, railway signal or aid to navigation or air or so as otherwise render hazardous the use of any highway.
4. This Permit shall expire on the 31st day of December, of the year of issue.

DATED at ABUJA MUNICIPAL AREA COUNCIL this20.....

Signature and Date

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW 2012.

APPLICATION FOR RENEWAL OF PERMIT TO DISPLAY AN
ADVERTISEMENT (*Section 2 (2)*)

FORM C

- (1) Permit No.
- (2) Name, Address and Telephone No. of Applicant.
- (3) Particulars of Advertisement Permit for renewal i.e.
 - (a) Is the site of Advertisement unchanged ?
 - (b) Nature of the Advertisement.
 - (c) Dimension.
 - (d) Illumination and Colour.

Signature and Date

NOTE : This application must be submitted in duplicate together with duplicate showing type, size and shape of the proposed Advertisement.

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW, 2012 SECTION 3 (i)

NOTICE OF REFUSAL OF PERMIT

FORM D

To

of

In accordance with powers granted under this Bye Law, Abuja Municipal Area Council hereby refuses to grant the permit for the display of the Advertisement proposed by you in your application dated theday of 20

See below for reason(s) for refusal of permit.

Signature and Date

1. Non-disclosure of type of business for which advertisement is made/ permit is being sought.
2. Non submission of drawing showing type, size and shape of proposed advertisement.
3. Failure to state type of illumination and colour.
4. Failure to state height above the ground and extent of projection.
5. Place of advertisement not defined.
6. Others.

** Tick which is appropriate.

B 306

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW, 2012 SECTION 3(2)

NOTICE OF REFUSAL OF RENEWAL PERMIT

FORM E

To

of

In accordance with powers granted under this Bye Law, Abuja Municipal Area Council hereby refuses to grant the permit for the display of the Advertisement proposed by you in your application dated the day of 20..... And copies of the accompanying such application for the reason set out hereafter.

Signature and Date

1. No evidence of previous permit.
2. That you neglected to clean the site of your advertisement.
3. That your sign post blocks the view of road users.
4. That you neglected to maintain advertisement erected.
5. Others.

ABUJA MUNICIPAL AREA COUNCIL
CONTROL OF ADVERTISEMENT BYE-LAW, 2012 SECTION 5
NOTICE OF REVOCATION OF PERMIT

FORM F

To

of

NOW THEREFORE, ABUJA MUNICIPAL AREA COUNCIL DO HEREBY GIVE YOU NOTICE pursuant to its power(s) under the said Bye-Law to remove the advertisement within 21 days of the notice thereof.

Signature and Date

ABUJA MUNICIPAL AREA COUNCIL

CONTROL OF ADVERTISEMENT BYE-LAW, 2012

NOTICE OF ENFORCEMENT OF PERMIT (*Section 7*)

FORM G

To

of

Whereas it appears to the Area Council that the Advertisement is being displayed in contravention with the conditions set out in the permit.

No. dated day of

20.....and listed in the scheduled hereto.

NOW THEREFORE, the ABUJA MUNICIPAL AREA COUNCIL DO HEREBY GIVE YOU NOTICE pursuant to its power under the said Bye-Law to comply with the conditions within twenty-eight days of the service of this Notice hereof.

AND FURTHER TAKE NOTICE that at the expiration of the twenty-eight days the Notice is not complied with, the said permit No. shall be revoked under Bye-Law of the above cited Bye-Law.

Signature and Date

PART VII—ABUJA MUNICIPAL AREA COUNCIL

REGULATION OF MOBILE ADVERTISEMENT BYE-LAW, (No. 6) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

REGULATION OF MOBILE ADVERTISEMENT IN
ABUJA MUNICIPAL AREA COUNCIL
(OWNERS OF BRANDED AND OPERATIONAL VEHICLES)

1. As from the commencement of this Bye-Law, no person or company shall maintain within the Area Council any branded vehicle or car having on it any sticker, logo or personalized painting and sign, which in accordance with this bye-law constitutes advertisement without first obtaining a permit to that effect from the Area Council. In the same vein, any operational vehicle registered in the name of an organization and being used to aid income generating activities shall also obtain a permit. Owners of Branded/ Operational Vehicles, etc. to obtain Permit.
2. Any vehicle registered in the name of a company or person resident in the Area Council or who carries on business or part of its/his business within Abuja and found anywhere within the Area Council or any vehicle normally used to carry on business within the Area Council not withstanding where the company or person in whose name it is registered is resident shall be deemed to be maintained within the Area Council. Vehicle deemed maintained within the Area Council.
- 3.—(i) A permit may be obtained upon payment of the fees prescribed in the First schedule hereto on all the vehicles in the fleet of the company or person maintained within the Area Council. Permit.
- (ii) Any company or person who uses a vehicle within Abuja Municipal Area Council as defined in Section 2.
4. A permit issued under this Bye-Law shall be signed by the Chief Revenue Officer to the Area Council (who shall also be the Secretary of Internal Revenue Generation Committee) or any agent appointed under this Bye-Law or person authorized by the Chairman of the Area Council.
5. Upon payment of the fees prescribed hereto, a permit for mobile environmental sanitation and hackney permit shall also be obtained and shall be included in the documents for mobile advertisement.
6. Any permit issued under this Bye-Law shall expire on the 31st day of December of the year of issue, and shall be renewed annually upon the payment of the fees prescribed in this Bye-Law or as may be reviewed from time to time.

7. The Area Council shall have powers to charge and collect arrears of the prescribed fees of the preceding year together with interest assessed at ten *per cent.*

Appointment of Agent.

8. The Area Council may upon recommendation of the Internal Revenue Committee, appoint as agent any person whether individual or corporate body to partner with it, towards the collection of fees and enforcement of the provision of this Bye-Law.

Demand Notice.

9. The Area Council or its agent shall issue a seven-day Demand Notice on the person or company liable to obtain the permit under this Bye-Law and await the expiration of the Notice before prosecution in court for any default. Collection of the Demand Notice and failure to comply with same shall attract the payment of twice the amount on the Demand Notice.

Powers of Agent to Inspect and the enforce Bye-Law.

10.—(i) Any agent appointed under this Bye-Law or person authorized by the Area Council may between the hours of 8.00a.m. and 6.00p.m. from Monday to Saturday enter into any premises within the Area Council for the purpose of ascertaining whether the provisions of this Bye-Law have been complied with and shall have power to enforce all the provisions of this Bye-Law.

(ii) Any agent appointed under this Bye-Law or person authorized by the Area Council shall have powers to arraign before the Court any person who contravenes the provisions of this Bye-Law.

Offences and Penalties.

11.—(i) Any company or person who refuses or neglects to obtain a permit as required by this Bye-Law or pay the fees prescribed for such permit shall be guilty of an offence and liable upon conviction to a fine equivalent to three times the fee payable for the permit in respect of which default has been made or imprisonment for a period not exceeding six months or both.

(ii) Any permit issued under this Bye-Law shall not be transferable and any person who transfers same or who mutilates the permit as to delete the portion for the registration number of the vehicle shall be guilty of an offence and liable upon conviction to a fine equivalent to three times the fees paid or payable on the permit or to imprisonment for a period not exceeding six months or both.

(iii) Any person who obstructs, hinders, molests, or assaults any person authorized by the Area Council in the enforcement of this Bye-Law shall be guilty of an offence and liable upon conviction to an imprisonment not exceeding six months.

Powers of Court to Impound Vehicles.

12. The Court shall have powers to order any vehicle in respect of which default has been made in obtaining a permit as required by this Bye-Law to be impounded until the permit is obtained, or the provisions of this Bye-Law are complied with and any fine imposed by it paid, and to order its release upon compliance with the provisions of this Bye-Law.

Offences by Body Corporate.

13.—(i) Where an offence under this Bye-Law has been committed by a body corporate or firm or other association of individuals ; a person who at the time of the commission of the offence was an Officer thereof or was

purporting to act in such capacity is guilty of the offence and liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

(ii) In this section, "*Officer*", includes :

(a) In the case of a body corporate, a director, chief executive by whatever name called, manager, accountant and secretary of the body corporate ;

(b) In the case of a firm, a partner, manager, accountant, and secretary of the firm ; and

(c) In the case of any other association of individuals, a person concerned in the management of the affairs of the association.

14. In this Bye-Law unless the context otherwise requires—

"*Agent*" means a person appointed by the Area Council under Section 8 of this Bye-Law ;

Interpreta-
tion.

"*The Area Council*" means Abuja Municipal Area Council of the Federal Capital Territory ;

"*Court*" means Magistrate Court of any grade ;

"*Mobile Advertisement*" means any word, letter, model, sign, printed notice, logo, identification, representation on the body of a vehicle or any notice or representation whether illuminated or not (in the nature of or employed wholly or in part for the purpose of advertisement including outdoor advertisement or notice on the body of the vehicle ;

"*Owner*" means the person or company who has the title to the vehicle and shall include the driver or other person for the time being in possession of or having control of the vehicle ;

"*Person*" Includes Individuals, Firms, Institution and Companies.

SCHEDULES

FIRST SCHEDULE (SECTION (3))

CHARGEABLE FEES FOR MOBILE ADVERTISEMENT/
AREA COUNCIL STICKERS PERMIT

<i>S/No.</i>	<i>Type of Vehicle</i>	<i>Mobile Advert</i>	<i>Mobile Sanitation</i>	<i>TV/Radio Fee</i>
1.	Industrial Motorcycle	7,500	7,500	7,500
2.	Car/Buses/Vans/Pick-ups	20,000	15,000	10,000
3.	Dyna Delivery Vans/J5	25,000	20,000	15,000
4.	Tippers/Lorries	27,000	22,000	17,500
5.	Trailers	30,000	25,000	20,000
6.	Cranes	40,000	40,000	35,000
7.	Earth-moving Equipment	40,000	40,000	35,000

REPEAL :

This Bye-Law repeals the Abuja Municipal Area Council Bye-Law on Vehicle Mobile Advert, 2002.

DULY passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

PART VIII—ABUJA MUNICIPAL AREA COUNCIL
 STACKING OF BUILDING MATERIALS/CONSTRUCTION PERMIT
 BYE-LAW (No. 7) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-law :

STACKING OF BUILDING MATERIALS/CONSTRUCTION PERMIT

1.—(a) No building materials shall be left on any street within the Abuja Municipal Area Council without the prior approval in writing of the Area Council.

Prohibition of stacking of building materials on the street without permit.

Permit to be Granted by the Area Council

(b) The approval referred to in 1(a) hereof shall be issued in writing upon an application being made by the interested person to the Area Council Engineer or any other Officer of the Area Council acting for and/or on his behalf or in his stead at any material time.

Period of Stacking

(c) The approved period for stacking of building materials shall not exceed 6 months from the date of issue.

Fee for Stacking

(d) For every square metre or any part of the street on which building materials are left, a fee as may be determined from time to time shall be paid to the Area Council by the builder or the person undertaking the construction and this amount shall not be less than ₦40,000.00 per square meter per month.

Unlawful Stacking

(e) Stacking of building materials for construction purpose within a confined premises shall attract a fee of not less than ₦25,000.00 (Twenty-Five Thousand Naira) per square metre per day.

Offence

(f) It shall be an offence if any stacking of building materials impedes the free flow of traffic.

Renewal of Permit

(g) If after the expirations of the period covered by the permit referred to in Section 1(c) hereof, the builder wishes to renew such permit, he shall pay to the Area Council a renewal fee of same amount as stated in Section 1(d) hereof.

PART IX—ABUJA MUNICIPAL AREA COUNCIL

LOADING/OFF-LOADING PARKING AND CONTROL OF TRAFFIC BYE-LAW
(No. 8) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

LOADING/OFF-LOADING PARKING AND CONTROL OF TRAFFIC

Loading/Off-loading.

1.—(i) As from the commencement of this Bye-Law, transporters operating in all the approved motor parks within the Council shall pay loading/off-loading fee (as may be determined by the Council) on every single loading/off-loading of passengers and goods to the Council through the Council's Staff or Agents, notwithstanding the fees in the schedule to this Law.

Failure to comply with the provision shall attract a fine as may be determined by the Court.

Unauthorized Parking

(ii) As from the commencement of this Bye-Law it shall be an offence for any person to park or abandon his vehicle on the highway or obstruct the free flow of traffic in any place other than an approved car park within the Area Council.

Power of Council to impound Vehicle.

2.—(i) Where it becomes evident to authorized person that a vehicle is parked or abandoned on the highway or in a place other than approved car park or obstruct the free flow of traffic, the vehicle involved shall be impounded by the authorized person and towed to the Area Council premises.

Penalty before Recovering

(ii) Any person who claims to be the owner or recovering the vehicle impounded pursuant to Section 2(1) above shall be entitled to recover same on payment of the fees prescribed in the schedule to this Bye-Law, and additional ₦1,000 for every subsequent day spent within the Area Council premises.

Fee for Parking.

3.—(i) A minimum parking fee of ₦100.00 and a maximum of ₦500.00 per vehicle depending on the type according to the tariff in existence shall be payable by any person who uses any of the authorized car park so designated within the hours of 6.00a.m. and 6.00p.m.

Ticket Obtainable

(ii) Such person shall obtain an official ticket and show same to the park wardens on demand.

Fine for Obstruction

(iii) Any person who obstructs an authorized officer in the discharge of his duties under this bye-law is guilty of an offence and liable on conviction to a fine of ₦50,000 (Fifty Thousand Naira) or a term of six months imprisonment or both.

4. Pursuant to the provisions of this Bye-Law, the Area Council shall :

Powers and duties.

(a) Provide and maintain parking lots ;

(b) Develop truck terminals and horizontal high and parking lots ;

(c) Charge fees on private commercial parks ;

(d) Charge and collect fees on parking lots or facility provided by it ;

(e) Issue permits on private parking development ;

(f) Take necessary steps on private parking development ;

(g) Enter into contracts for the provision, maintenance, control, regulation and management of parks with the FCT Administration under the Law or Minister's executive fiat ;

(h) Provide suitable facilities for the removal of vehicle contravening Section 90 of this Bye-Law.

(i) Provide and maintain proper record containing particulars of each removed vehicle and content specifying the date of its removal the parking facility in which it is kept as provided under the Road Traffic Act.

5. The Area Council Chairman may in consultation with the Engineer and Chief Traffic Officer, make regulations generally for the purpose of this Bye-Law.

Power to make Regulations.

6. For the avoidance of doubts, the provisions of this Bye-Law shall not apply in respect of the following types of vehicles : Ambulance, Fire Service vehicles, Hearse and Refuse Collection vehicles.

Exemptions.

7. In this Bye-Law, unless the context otherwise requires—

Interpretation.

“*Approved car park*” includes motor parks, private parking lots or any other place(s) designated by the Area Council ;

“*Authorized person*” means the Area Council traffic officers, park warden, police officers designated officials of the Area Council and such other person(s) as the Area Council may from time to time appoint ;

“*Highway*” includes any road, street, crescent or alley to which the public have access ;

“*Area Council*” means Abuja Municipal Area Council ;

“*Local Government Supervisor*” means the Area Council Supervisor charged with the responsibility for Works and Housing ;

“*Obstruct*” means to hinder, prevent, impede, and to make accomplishment of the duties imposed under this Bye-Law difficult and slow ;

B 318

“*Vehicle*” means a mechanically propelled vehicle intended or adopted for use on roads and shall include motorcycle ;

“*Court*” means the Magistrate Court of any grade.

Citation/
Commence-
ment.

This Bye-Law may be referred to as Loading/Off-loading, Parking and Control of Traffic Bye-Law 2012 and shall become operational with effect from 1st January, 2012.

SCHEDULE

LOADING AND OFF-LOADING

<i>S/No.</i>	<i>Type of Vehicle</i>	<i>Fees</i>
1.	Lorries/Tippers	25,000
2.	Car/Buses/Vans/Pick-ups	10,000
3.	Dyna Delivery Vans/J5	20,000
4.	Luxurious Buses	36,000
5.	Trailers	36,000
6.	Cranes	40,000
7.	Earth-moving Equipment	40,000

WRONG PARKING/LOADING AND OFF-LOADING

<i>S/No.</i>	<i>Type of Vehicle</i>	<i>Fees</i>
1.	Lorries/Tippers Penalty	36,000
2.	Car and Buses Penalty	5,000
3.	Trucks/Mini Buses Penalty	10,000
4.	Luxurious Buses Penalty	20,000

CORPORATE PARKING PERMIT FEES/PER ANNUM

<i>S/No.</i>	<i>Body</i>	<i>Large</i>	<i>Small</i>
1.	Lorries/Tippers	500,000	250,000
2.	Car/Buses/Vans/Pick-ups	1,000,000	200,000
3.	Dyna Delivery Vans/J5	200,000	150,000

MOTOR PARK ENTRY FEES

<i>S/No.</i>	<i>Type</i>	<i>Fees</i>
1.	Saloon/Hiace	300
2.	Lorries/Luxurious	1,000/1,500
3.	Tanker/Trailer	1,500/2,000
4.	Private	1,000/2,000
5.	Town Service in front of Motor Park and Inter State	10% Total Loading Fee or Totaling Income
6.	Loading/Off-Loading	10% of Every Single Loading and Off-loading

DULY passed by the Abuja Municipal Area Council Legislative Arm this

..... day of, 2012.

PART X—ABUJA MUNICIPAL AREA COUNCIL
CUTTING OF ROAD TAR BYE-LAW, (NO. 9) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended), and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

CUTTING OF ROAD TAR BYE-LAW

- | | |
|--------------------------|--|
| Offence. | 1.—(i) As from the commencement of this Bye-Law, it shall be an offence for any person to carry out or engage in cutting of road Tar without first obtaining a permit from Abuja Municipal Area Council. |
| | (ii) A permit may be obtained on application and upon payment of a minimum fee of N15,000 (Fifteen Thousand Naira) or such amount as may be determined by the Area Council from time to time. |
| Duration of Permit. | 2. Any permit issued shall be for the period specified therein. |
| Production of Permit. | 3. Any permit issued under this Bye-Law shall be produced by the person to whom it is issued on demand by an authorized person. |
| Penalty. | 4. Where it becomes evident to an authorized person that the necessary permit has not been obtained before commencement of work resulting in cutting of road tar under this Bye-Law, the authorized person shall arrest the workman and confiscate the equipment found at site. |
| Penalty for Obstruction. | 5. Any person who obstructs an authorized person in the discharge of his duties under this Bye-Law shall be guilty of an offence and liable on conviction to a term of six months imprisonment or a fine of N10,000 or both as may be determined by the Magistrate Court. |
| Application. | 6. This Bye-Law shall apply to all corporate bodies and persons engaged in cutting of Road Tar or provision of speed breakers across any road within the jurisdiction of the Area Council. |
| Interpretation. | 7. In this Bye-Law, unless the context otherwise requires :
“Authorized Person” means any official of the Area Council or any person who may be authorized to perform any function under this Bye-Law ;
“Area Council” means the Abuja Municipal Area Council ;
“Cutting of Road Tar” includes cutting of road or street laid out with laterite for purposes of provision of speed breakers, laying of water pipes and cables across the road ;
“Permit” means the License issued by the Area Council to the holder allowing him to carry out the operation of cutting of the road speed breakers laying across the said road. |

B 321

8. This Bye-Law may be referred to as Cutting of Road Tar Bye-Law 2012, and shall become operational with effect from 1st day of January, 2012.

Citation/
Commence-
ment.

DULY passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

PART XI—ABUJA MUNICIPAL AREA COUNCIL

MOVEMENT AND KEEPING OF DOGS BYE-LAW, (No. 10) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

MOVEMENT AND KEEPING OF DOGS BYE-LAW

Dogs Permit.

1.—(a) As from the commencement of this Bye-Law, it shall be compulsory for every person(s) individual or corporate body having charge or custody of dog(s) to register and obtain permit from the Area Council. The permit shall be in the form set out in the First Schedule to this Bye-Law and shall expire on the 31st day of December in the year they were issued. The fee for permit shall be as may be determined by the Council. A Register shall be kept for this purpose containing sufficient particulars of permit holder and of his dog(s).

Certifying Dogs Medically fit

(b) No permit shall be issued in respect of any dog(s) unless the dog(s) has been vaccinated against rabies and a valid certificate is produced on payment of prescribed fee such certificate shall be in the form set out in the Second Schedule of this Bye-Law.

Renewal

(c) The dog permit thereof shall be renewed every year. Permit includes licence.

Straying of Dogs.

2. As from the commencement of this Bye-Law, it shall be an offence for the owner/keeper of any dogs to allow same to stray or move about the streets, lane, crescent or any part of the territorial confines of the Abuja Municipal Area Council.

Contravention and Penalty.

3. Keeper of dog(s) that contravenes any of the provisions of Sections (1) and (2) of this Bye-law shall be guilty of an offence and upon conviction shall be liable to a minimum fine of ₦5,000.00 (Five Thousand Naira) or to a maximum fine of ₦10,000.00 (Ten Thousand Naira) or to a minimum term of imprisonment of three (3) months or a maximum term of imprisonment of six (6) months or both fine and imprisonment.

Penalty.

4. Any Dog that strays into the street, road, crescent, lane, etc. within the territorial confines of Abuja Municipal Area Council shall be caught/trapped and be taken to the custody of the Council Health Department until the Owner/ Keeper pays appropriate fines.

5. Where any dog(s) appears medically unfit to an environmental health officer(s), he shall take the dog(s) concerned into custody until the dog(s) is medically fit and sound and shall be released to the owner after payment of the appropriate fines.

Medically
unfit dog

6. The Magistrate Court of any grade.

Court with
jurisdiction.

7. This Bye-Law shall be referred to as Movement and Keeping of Dog(s) Bye-Law 2012, and shall become operational with effect from 1st day of January, 2012.

Citation/
Commence-
ment.

FIRST SCHEDULE

AMAC MOVEMENT AND KEEPING OF DOGS BYE-LAW, (No.10) 2012

FORM OF PERMIT OR LICENCE (Section 1(a))

Date.....

Licence is hereby granted to of
..... to keep the dog (or dogs) following
..... (*set-out a
description of the dog (or dogs) sufficient for identification and each dog the
distinguishing mark of the badge provided for the dogs*), the applicant having
paid the prescribed fees.

FCC N

Date

(Signature, name and rank of Issuing Officer)

**NOTE : This Licence expires on 31st December,

SECOND SCHEDULE

AMAC MOVEMENT AND KEEPING OF DOGS BYE-LAW (No.10) 2012

RABIES VACINATION CERTIFICATE (Section 1(b))

Owner's name and address

.....

Breed of Dog(s)

Sex of Dog(s)

Markings

Batch No. and type of

Vaccine

This certificate is valid until

Centre where issued

.....
Medical Officer

DULY passed by the Abuja Municipal Area Council Legislative Arm this
.....day of, 2012.

PART XII—ABUJA MUNICIPAL AREA COUNCIL

HOUSE NUMBERING/STREET NAMING
REGULATION BYE-LAW (No. 11) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

Approval and Consent.

1. As from the commencement of this Bye-Law, no person shall mount a sign post to identify a street, lane, crescent, etc as his/her own without seeking the approval and consent of the Abuja Municipal Area Council. The Council shall take into consideration ; the applicant's contribution to the society/community as envisaged in Section 3 of this Bye-law.

Application for Street Naming, etc.

2. Any person who desires to have a street, crescent, road, lane, avenue, etc named after himself/herself shall apply formally to the Abuja Municipal Area Council and pay a sum that may be prescribed by the Council from time to time.

3. The formal application referred to in Section 113 hereof shall be in typed form, signed and dated by the applicant, giving his/her particulars, such as Name, Address, Occupation, Status in life, Level of achievement/contributions to the community/society and any such other information that may be required by Abuja Municipal Area Council.

Violation and penalties.

4. Any person who contravenes or violates the provision of this Bye-law shall be guilty of an offence and shall be liable upon conviction to a minimum fine of N10,000 or imprisonment for a term of three (3) Months or to both fine and imprisonment.

Court with Jurisdiction.

5. The Magistrate Court of any grade.

Citation and Commencement.

6. This Bye-Law shall be referred to as House Numbering/Street Naming Regulation Bye-Law (No. 11) 2012 and shall become operational with effect from 2nd day of January, 2012.

DULY passed by the Abuja Municipal Area Council Legislative Arm this day of, 2012.

PART XIII—ABUJA MUNICIPAL AREA COUNCIL

REGISTRATION OF DRY CLEANING AND LAUNDRY HOUSES BYE-LAW (No. 12) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-law :

REGISTRATION OF DRY CLEANING AND LAUNDRY HOUSES

- | | |
|--|--|
| 1. As from the commencement of this Bye-Law, no person(s) (whether natural or artificial) shall carry on the business of Dry Cleaning/or Laundry services except with prior license issued by the Abuja Municipal Area Council. | License. |
| 2. The operating license referred to in Section 1 of this Bye-Law shall be obtained by the Dry Cleaning and/or laundry outfit upon a formal application being made to Area Council and subject to the payment of the license fee that may be prescribed from time to time by Abuja Municipal Area Council. | Issuance of License and Payment of Prescribed. |
| 3. The amount of license fee to be paid by the Dry Cleaning and/or Laundry outfit shall depend on the size and location of the outfit. | Assessment of Fee. |
| 4. No operating license shall be issued by Abuja Municipal Area Council until an inspection of the business premises of the Dry Cleaning and/or Laundry outfit shall be made and a report written on the inspection by the authorized officer or agent of the Abuja Municipal Area Council. | Inspection and Reporting. |
| 5. The operating license issued by Abuja Municipal Area Council pursuant to the provisions of this Bye-Law shall be renewed annually, and every license shall be deemed to expire upon the expiration of twelve (12) months from the date of the license by which time the prescribed renewal fee shall become due and payable to the Area Council by the concerned Dry Cleaning and Laundry outfit. | Renewal |
| 6. Any Dry Cleaning and/or Laundry outfit or any person(s) who carries on business within the territories or jurisdiction of Abuja Municipal Area Council without prior operating license having been issued by the Abuja Municipal Area Council shall be guilty of an offence and upon conviction be liable— | Offence and Penalty. |
| (a) If a natural person(s) to a minimum fine of ₦25,000 (Twenty Five Thousand Naira) or a maximum fine of ₦50,000 (Fifty Thousand Naira) or a minimum term of imprisonment of three (3) months or maximum term of imprisonment for six months ; | |
| (b) If corporate body to a fine of ₦50,000 (Fifty Thousand Naira) or closure for a minimum of one (1) month or maximum period of three months, or both fine and closure. | |

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Court with jurisdiction.

7. Any court established pursuant to any enactment of the National Assembly shall have jurisdiction to try offences and offender under this Bye-Law.

Citation and Commencement.

8. This Bye-Law shall be referred to as Registration of Dry Cleaning and Laundry House Bye-Law 2012, and shall become operational with effect from 2nd day of January, 2012.

DULY passed by the Abuja Municipal Area Council Legislative Arm this day of, 2012.

PART XIV—ABUJA MUNICIPAL AREA COUNCIL

MARKET REGULATION BYE-LAW (No. 13) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-law :

ESTABLISHMENT, CONTROL AND MANAGEMENT OF MARKET

- | | |
|---|--|
| 1. No person shall establish or maintain a market without the approval of the Area Council. | Establishment of Market. |
| 2. All markets established within the territorial jurisdiction of the Area Council shall be under the control and management of the Area Council. | Control and Management. |
| 3. Any person who contravenes the provision of Section 1 hereof shall be liable on conviction to a fine of ₦100,000 or 3 months imprisonment or both. Such market shall be closed/sealed up until an approval is obtained in writing from the Area Council. | Offence and Penalty. |
| 4. Markets shall be opened on such days and between such hours of the day as the Area Council may approve. | Market Days and Hours. |
| 5.—(i) Tolls and Stallages fixed by the Area Council from time to time shall be paid by all persons selling or carrying on trade or calling in the market.
(ii) The tolls and payable by each category of shop/stall are as specified in the Tariff of the Area Council. | Tolls and Stallages. |
| 6. All tolls and stallages shall be paid monthly or quarterly or half yearly in advance to the revenue Collectors of Abuja Municipal Area Council Treasury or in such other manner or to such person(s) as the Area Council may direct. | Advance Payment of Tolls. |
| 7. Any person who exposes goods or merchandise for sale in the market or exercises any right in the market in respect of which stallages or tolls are payable without having first paid the appropriate stallages or tolls may be ejected as trespasser and shall be guilty of the offence and liable on conviction to a fine of ₦50,000 (Fifty Thousand Naira) or 3 months imprisonment or both. | Penalty for failure to Pay tolls/ stallage. |
| 8. Any person who sells or purchases goods/ merchandise in the market or carries on his trade or calling in the market on any day or at any hour when the market is not approved for opening in accordance with section 4 hereof shall be guilty of an offence and liable on conviction to a fine of ₦50,000 or 3 months imprisonment or both. | Offence and penalty for Selling and buying on unauthorized day or hours. |

PART XV—ABUJA MUNICIPAL AREA COUNCIL

SHOPS, KIOSKS, TRADE LICENCE, PRIVATE LOCKUP SHOP AND ALLIED MATTERS
BYE-LAW (No. 14) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

SHOPS, KIOSKS, TRADE LICENCE, PRIVATE LOCKUP SHOP AND ALLIED MATTERS

Prohibition of operation of workshop, etc.

1. As from the commencement of this Bye-Law it shall be an offence for any person to establish or operate workshop or carry on any business, trade or occupation without obtaining a licence from the Area Council.

Issuance of Licence.

2.—(i) A licence may be obtained on application and payment of the fees prescribed in the First Schedule depending on the business category.

(ii) Enforcement of payment for licence or renewal of licence under this Bye-Law shall be preceded by a notice of demand as in the second schedule in default of which notice of intention to sue as in third schedule shall issue.

Duration/ Renewal of Permit.

3.—(i) Any licence issued shall expire on the 31st December of the year of issue of the licence.

(ii) Any licence issued under Section 2 (i) of this Bye-Law shall be renewed annually on payment of a prescribed fee.

Sealing up of defaulting premises, etc.

4.—(i) Where it becomes evident that the necessary permit has not been obtained by a person operating a workshop or carrying on any business or trade as directed under this Bye-Law, the Area Council shall on the order of the Court seal up the workshop or business premises on which the trade is being carried on.

(ii) The workshop or business premises shall remain sealed until the order made under sub-section (1) is varied by the Court. A penalty fee twice the amount which an applicant shall have paid for a license for the affected category of trade or business as on the first schedule may be ordered by the Court.

Court with jurisdiction.

5. The Magistrate Court shall jurisdiction.

Interpretation.

6. "License" includes permit issued under the authority of the Area Court for carrying-on trade within the Abuja Municipal Area Council.

FIRST SCHEDULE

Sections 2(i) and 4(ii)

CATEGORY A – TRADE LICENCE

Large Shop	₦150,000
Medium Shop	₦100,000
Small Shop	₦50,000
Warehouse Depot/Parking Stores	₦200,000

CATEGORY B — PRIVATE LOCKUP SHOP

Large Shop	₦100,000
Medium Shop	₦75,000
Small Shop	₦40,000
Parking Space	₦25,000 - ₦30,000

CATEGORY C — KIOSK AND CANOPY EXTENSION

Large Shop	₦50,000
Medium Shop	₦40,000
Small Shop	₦30,000

CATEGORY D

Petty Trade (Attachments)	₦5,000 - ₦10,000
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CATEGORY E

SHOPS AND KIOSKS, TRADE LICENSE (OPERATIONAL PERMIT)
ON BUSINESS AND COMMERCIAL PREMISES

<i>Establishment</i>	<i>Rates Per Annum</i>
Legal Practitioner/Chambers	60,000
Estate Surveyor/Values	75,000
Land Surveyors	75,000
Security Organization	75,000
Architect	75,000
Draftsman	37,500
Courier Service Agencies (Small)	75,000
Courier Service Agencies (Medium)	70,000
Courier Service Agencies (Large)	150,000
Travel Agencies/Transport	100,000
Hospital/Maternity (Medium)	75,000
Hospital/Maternity (Big)	150,000
Laboratories	45,000

SHOPS AND KIOSKS. TRADE LICENSE (OPERATIONAL PERMIT)
ON BUSINESS AND COMMERCIAL PREMISES—*continued*

<i>Establishment</i>	<i>Rates Per Annum</i>
Maternity	45,000
Chemist/Pharmacist (Small)	37,500
Chemist/Pharmacist (Big)	75,000
Patent Medicine	37,500
Porter-Natives	9,000
Blacksmith	10,000
Printer (Small)	22,500
Printer (Medium)	45,000
Printer (Big)	150,000
Dentist	37,500
Herbalist	30,000
Optician	37,500
Mechanic Workshop	37,500
Vulcanizing	6,000
Watch Repairing Workshop	6,000
Rice Hauling	10,000
Car Wash	10,000
Welding	10,000
Welding (Medium)	37,500
Electrical Workshop	9,000
Pool Proprietor	15,000
Pool Office (Small)	12,000
Water Pump/Borehole	10,000
Palm Oil Processing (Manual)	9,000
Kernel Cracking	9,000
Vehicle Hire	75,000
Panel Beater Workshop	10,000
Spare Part (Vehicle)	37,500
Spare Part (Motorcycle)	15,000
Spare Part (Bicycle)	9,000
Hawking	5,000
Video House	30,000
Airlines	300,000
Engineers	150,000
Media Houses (Print/Electronic)	300,000
Departmental Store	500,000
Paint Depot/Dealer	75,000
<i>Hotels</i>	
1 Star	75,000
2 Star	105,000
3 Star	150,000

SHOPS AND KIOSKS, TRADE LICENSE (OPERATIONAL PERMIT)
ON BUSINESS AND COMMERCIAL PREMISES—*continued*

<i>Establishment</i>	<i>Rates Per Annum</i>
4 Star	300,000
5 Star	750,000
Night Clubs/Casino (Small)	75,000
Night Clubs/Casino (Big)	150,000
Bureau De Change	37,500
Insurance Office (Branch)	75,000
Insurance Office (H/Q, Area/Reg. Office)	375,000
Insurance Brokerage	90,000
Furniture Showroom	150,000
Interior Decoration	150,000
Construction Company (Big)	750,000
Construction Company (Small)	300,000
Construction Company (Medium)	450,000
Factory/Manufacturing Industry (Big)	450,000
Factory/Manufacturing Industry (Medium)	225,000
Factory/Manufacturing Industry (Small)	120,000
Quarrying	750,000
Petrol Filling Station	150,000
Petroleum Product Exploration (H/Q)	750,000
Petroleum Product Marketing (H/Q)	750,000
Gas Filling Station	75,000
Car Stand (New)	250,000
Car Stand (Old)	150,000
Bank HQ/Area/Regional Office	750,000
Bank Branches	300,000
Finance House	300,000
Corporate Organization (Others)	225,000
Elect/Electronic Equip. Installation Industry (Small)	75,000
Elect/Electronic Equip. Installation Industry (Medium)	150,000
Elect/Electronic Equip. Installation Industry (Big)	450,000
Electronic/Electric Manufacturers	300,000
Chemical/Paint Depot (Standard) Small	75,000
Chemical/Paint Depot (Standard) Medium	150,000
Chemical/Paint Depot (Standard) Big	300,000
Telecommunication (Small)	75,000
Telecommunication (Medium)	150,000
Telecommunication (Big)	750,000
Driving School	75,000
Soap and Detergent (Depot)	75,000
Tobacco Distributor (Big)	75,000
Tobacco Distributor (Medium)	37,500
Tobacco Distributor (Small)	10,000

SHOPS AND KIOSKS, TRADE LICENSE (OPERATIONAL PERMIT)
ON BUSINESS AND COMMERCIAL PREMISES—*continued*

<i>Establishment</i>	<i>Rates Per Annum</i>
Gas Depot	30,000
Cooking Gas Retailer	10,000
Private Secondary School	300,000
Private Nursery/Primary School	150,000
Computer Training School	75,000
Building Material Dealer	100,000
Sand Digging/Excavation	50,000
Palm Oil Center	22,500
Block Moulding (Big)	50,000
Block moulding (Medium)	25,000
Block moulding (Small)	10,000
Fabricating Engineer	10,000
Fishing/Fishery	10,000
Bakery and Confectionery	150,000
Timber Retailer/Seller	10,000
Furniture Workshop	37,500
Carpentry Workshop	10,000
<i>Sale of Animal</i>	
Cattle/Horses/Donkey	30,000
Sheep/Goat/Pig	10,000

SECOND SCHEDULE (S.2(ii))

NOTICE OF DEMAND

<i>Amount Details</i>	<i>Amount Due and Payable</i>
CURRENT
ARREARS
TOTAL

Payment in cash or cheque is to be made at the Bank so designated by the Area Council between the hours of 8.00 am and 4.00pm.

If payment is not made within 7 days of this Demand, Legal proceedings shall commence against you.

This demand note must be produced at the time of payment.

Signature and Date

DULY passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

THIRD SCHEDULE

NOTICE OF INTENSION TO SUE FOR THE NON-PAYMENT OF
TRADE PERMIT BYE-LAW, (No. 14) 2012 Section 2(ii)

I write to inform you that records available to us showed that your Company/Organization has not settled the trade permit Bill of N Served on you in the month of which allowed you 14 days within which payment must be made.

Your refusal to pay the said amount is viewed as deliberate act of defrauding the Government and failure to comply with the conditions of the Trade Licence, Lock up shop and provisions Bye-Law 2012.

For avoidance of doubt, a further 7 days from the date of this notice is given to settle the bill or to conform to paragraph 2 above following which court action shall be taken against you without any further notice from this office.

It is however anticipated that you will co-operate to avoid any embarrassment.

** See below attached for detailed analysis of your indebtedness.

Signature and Date

PART XVI—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

RADIO/TELEVISION AND COMMUNICATION MAST BYE-LAW, (No. 15) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

RADIO/TELEVISION AND COMMUNICATION MAST

1. As from the commencement of this Bye-Law any person who owns or is in control of Radio or Television instrument and/or Communication Mast or other items of the same or similar kind within the territorial jurisdiction of Abuja Municipal Area Council shall pay an annual licence fee of same to the Area Council. Radio/
Television
and
Communica-
tion Mast.
2. The amount to be paid as annual licence fee shall depend on the use to which the items referred to in section 1 hereof are put (Private/commercial), and the volume or numbers of the items or instruments in the premises concerned. Determina-
tion of
Annual
Licence Fee.
3. The amount of annual licence fee to be paid on the items referred to in section 1 hereof shall be in accordance with the conditions contained in the Schedule to this Bye-Law.
4. The appropriate officer of or agent of Abuja Municipal Area Council. Council shall at all working hours of any working day have the power to enter any premises whether residential or commercial for the purpose of inspection so as to give effect to the intendment of this Bye-Law. Power to
enter
premises and
inspect.
5. It shall be an offence for anybody within the territorial jurisdiction of Abuja Municipal Area Council to act in any manner as to constitute an impediment in the way or obstruction to any Area Council official or authorized agent in the discharge of his duties envisaged by this Bye-Law. Offence of
Obstruction.
6. Any person who contravenes the provisions of this Bye-Law in any respect shall be guilty of an offence and liable as follows : Penalty.
 - (a) If an Individual, to a fine of 50 *per cent* of the amount due in addition to payment of the fee due or a term of imprisonment for three (3) months or both ;
 - (b) If a corporate body, to a fine of 50 *per cent* of the amount due in addition to payment of the fee due or closure of premises for a period not exceeding one (1) month or both fine and closure.

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- Application. 7. The provision of this Bye-Law shall be applicable to all person(s) natural as well as artificial and all premises (residential as well as commercial) within the territorial Jurisdiction of the Abuja Municipal Area Council.
- Court with Jurisdiction. 8. A Magistrate Court established pursuant to any enactment for the FCT.
- Citation and Commencement. 9. This Bye-Law may be referred to as Radio and Television Licence Bye-Law 2012 and shall become operational with effect from 2nd day of January, 2012.

FIRST SCHEDULE

CATEGORY A — ₦1,500,000

1. Headquarters of Organizations, including Multi-National Companies, Banks (Merchant banks inclusive), Financial Institutions, Oil Companies and other Corporate Bodies.

CATEGORY B — ₦1,000,000

2. Branches of Multi-National Companies, Banks, Insurance and Financial Institutions including Merchant Banks, Textiles and Fabric Companies, Equipment Leasing Companies, Motor Factories Engineering Companies, Packaging Companies, Automobile Motor Factories, Security, Technical Equipment and Machinery Companies, Pharmaceutical Companies, Investment Companies, Architectural Consultancy Companies, Computer Service Generally, Manufacturing Companies and High Class Hotels, and other similar kinds of entities.

CATEGORY C — Large - ₦200,000 ; Medium - ₦100,000 ; Small - ₦50,000

3. Airline/Travel Agencies, Courier Services Companies, Petrol/Filling Stations, Haulage and Light Storage Companies, Marine Ocean Graphic and Inter Marine Companies, Telecommunication Companies, Agro Allied Companies, Manufacturing Companies Generally, Supermarkets, Boutiques, Gas Laboratory and Hospital Equipment Companies etc., Dry Cleaning and Laundry Services, Fast Food Centers, Public Relation/Photographic Companies, Photocopying and Duplicating Centers , and other similar entities.

CATEGORY D — Duplex - ₦20,000 ; Flat - ₦10,000 ; Bungalow - ₦5000 ;
Self Contain Apartment - ₦3,500

4. An Individual: Residential Premises.

CATEGORY E — COMMUNICATION MAST (GSM PROVIDER)

5. Large - ₦2,000,000. Medium - ₦1,500,000. Small - ₦1,000,000

Duly passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

PART XVII—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

TRICYCLE (KEKE) MOTORCYCLE COMMERCIAL USES
(REGULATION AND CONTROL) BYE-LAW (No. 16) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

COMMERCIAL TRICYCLE (KEKE) OPERATION PURPOSE

- | | |
|-----------------------------------|--|
| Strict compliance with Provision. | 1.—(a) As from the commencement of this Bye-Law it shall be an offence for any person to operate a Tricycle popularly called “Keke” or a motorcycle for commercial purposes within the territorial Jurisdiction of Abuja Municipal Area Council except in strict adherence and compliance with the provisions of this Bye-Law. |
| Registration. | (b) A Tricycle (Keke) for the purposes of this Bye-Law means a three-wheeled, motor-driven contraption intended to carry two or more passengers. |
| Annual Registration Fee. | 2. Any person who seeks to operate or who operates a motorcycle or a tricycle for commercial purposes within Abuja Municipal Area Council shall register it within the Area Council to ply designated routes. |
| Basis for lawful operation. | 3. The operators shall pay to the Abuja Municipal Area Council an annual registration fee of ₦5,000 (Five Thousand Naira) on each Tricycle or Motorcycle operating commercially within Abuja Municipal Area Council. |
| Daily operation fee. | 4. Subject to sections 2 and 3 hereof, registration shall be the basis for the lawful operation of Motorcycles or Tricycles for commercial purposes within the territorial Jurisdiction of Abuja Municipal Area Council. |
| Safety. | 5. All Tricycles or Motorcycles operating for commercial purposes within Abuja Municipal Area Council Area shall pay to the Abuja Municipal Area Council a daily operation fee of ₦100 (One Hundred Naira). |
| Penalty for contravention. | 6. All Tricycles and motorcycles used for commercial purposes must possess all safety equipment such as helmet and be in good operating condition. |
| Court with Jurisdiction. | 7. Any person, who contravenes the provisions of this Bye-law shall be guilty of an offence, and be tried summarily and on conviction be liable to a fine of ₦3,000 (Three Thousand Naira), only or Imprisonment for three (3) months or both. |
| | 7. Magistrates court established under the law of FCT shall have Jurisdiction for the trial of offences under this Bye-Law. |

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8. This Bye-Law may be referred to as Tricycle (Keke)/ Motorcycle Commercial Use Regulation and Control Bye-Law 2012, and shall become operational with effect from 2nd day of January, 2012.

Citation and
Commence-
ment.

DULY passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

PART XVIII—ABUJA MUNICIPAL AREA COUNCIL (AMAC)
FOODSTUFF AND REGULATED PREMISES BYE-LAW (No. 17) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

FOODSTUFF AND REGULATED PREMISES : PREPARATION AND SALE OF FOODSTUFF

Food
Protection.

1. No person shall display or offer for sale to the public in any market, regulated premises or any other public place :

(a) Any of the foodstuffs specified in the first column of the first schedule to this bye-law, unless these foodstuffs are suitable and protected from contamination and kept in any one of the appropriate containers specified in the second column of the first schedule opposite the particular foodstuff ;

(b) Any aerated or other mineral water unless the aerated or other mineral is retained in the container in which the manufacturer has produced it.

Cooking
Utensils
must be
kept clean.

2. All cooking pots, calabashes, bottles, trays, containers or other receptacles and all utensils used in or for the preparations, display or offering for sale of any foodstuff whether used in regulated premises or otherwise, shall be kept in a clean and sanitary condition; and all coverings of any kind used for protecting such foodstuff shall be kept healthy and clean.

Regulated Premises

Licence to be
granted by
Area
Council.

3.—(a) The proprietor or occupier of any regulated premises who desires to carry on business in those premises shall obtain a licence in respect thereof from the council before the regulated premises are put into use.

(b) The Area Council shall not grant licence in respect of any regulated premises unless the premises comply with any Health Regulations for the time being applicable in the FCT and the provision of this Bye-Law, and on inspection and approval by an AMAC Health Officer.

(c) There shall be paid in respect of each licence the appropriate fee set out in the second schedule provided that where a baker uses machinery for baking, the licence fee in respect of the regulated premises in which the machinery is housed shall be the appropriate fee set out in the second schedule.

(d) A licence granted by the council under this Bye-Law shall be in the form set out in the third schedule.

(e) Food regulated premises bill shall be prepared and served by an environmental health officer.

- (f) The licensing of all regulated premises shall be renewed yearly and conditions of any such renewal shall be the same as those specified in the case of the original license in Section 3 paragraph A of this Bye-law.
- 4.—(a) No regulated premises shall have direct linkage with any other premises. Regulations.
- (b) The oven of any baking house shall not be situate in the kneading room or the store room in which pans, flour and other foodstuffs are kept.
5. All regulated premises shall have : Descriptions of Regulated Premises.
- (a) An area of not less than 200 square feet ;
- (b) An average height of not less than 10 feet ;
- (c) A smooth floor paved with not less than 2 inches of concrete and drained to carry off all waste water.
6. The interior of all regulated premises shall be lime washed at least once every twelve months. Washing of Regulated Premises.
- 7.—(a) No person shall sleep in any regulated premises or use same any manner as a dwelling house. Prohibition of use of Regulated Premises as dwelling houses.
- (b) No animal or bird shall be allowed or kept in any regulated premises.
8. Every reasonable precaution shall be taken by the proprietor or occupier of regulated premises : Precautionary Measures.
- (a) To keep the same fly-proof ;
- (b) To keep down vermin ;
- (c) To provide adequate means of escape to the open-air from the exhaust fumes engendered by any machinery or engine in use on the regulated premises.
9. All water used in any regulated premises shall be obtained from a source approved by a health officer. Use of water in Regulated Premises.
10. All regulated premises shall have adequate sanitary toilet facilities approved by a health officer. Sanitary Condition of Regulated Premises.
11. No person suffering from an infectious disease shall be employed in any regulated premises. Persons to be employed.
12. No person shall use or allow a milling machine to be used between the hours of 7.00pm and 6.00am. Period of use of milling machine.
13. An Environmental Health Officer shall : Duties/Powers of an Environmental Officer.
- (a) Have right to inspect any regulated premises at all reasonable times ;

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- (b) Carry out inspection of regulated premises, to prevent, discourage and disallow food displayed or kept in an unsanitary or unhygienic environment ;
- (c) Seize or confiscate any unwholesome food items.

Medical Certificate of fitness for food handlers.

14. It shall be compulsory for the owner(s) (individual or management) of every establishment to carry out medical examination of all food handlers in their establishment to certify their health fitness.

Prohibition of sales of food on roads, setbacks, etc. in a manner likely to cause contamination by germs.

15. No person(s) shall display or offer for sale, food meant for human consumption on verges or setback or road, top of drains/canals, open spaces or any part of building/premises in a manner that exposes such food to contamination by germs.

Institution of Charges.

16. It shall be deemed legal to institute charge(s) against any act or omission or thing which appears or is deemed to be illegal, dangerous, injurious and against social norm, welfare, health and hygiene or sanitation.

Revocation of Licence.

17. Where any proprietor or occupier of any regulated premises has been prosecuted and convicted for a second or subsequent offence against this bye-law, the council may, if it considers it necessary in the interest of public health, revoke the licence under which such regulated premises are in use.

Offence of Obstruction.

18. Anybody (individual or corporate) who obstructs an Environmental Health Officer (or his delegate) in the process of performing his/her duty shall be guilty of an offence.

Penalty.

19.—(1) Any person who contravenes or fails to comply with any of the provisions of this Bye-Law shall be guilty of an offence and on conviction, shall be liable to a fine of ₦5,000 (Five Thousand Naira) for individual and ₦50,000 (Fifty Thousand Naira) in case of corporate firm or, in default of payment, to imprisonment not exceeding three month.

(2) Without prejudice to the foregoing, in deserving cases such premises may be ordered sealed up unless conditions imposed are complied with.

Variation of Schedule.

20. The schedules to this Bye-Law may be varied by a resolution of the Area Council.

Court with Jurisdiction.

21. A Magistrate Court established under the law of FCT shall have Jurisdiction for the trial of offences under this Bye-Law.

Interpretation.

22. In this Bye-Law—

“*Aerated water factory*” means any premises in which aerated and mineral waters, and fruit drinks other than imported ones are prepared and stored for sale ;

“*Bake house*” means any premises set apart or intended for the preparation or baking of bread and similar food stuffs for sale ;

“*Corn-mill*” means any premises set apart or intended for the preparation of flour and similar food for sale ;

“*The council*” means the council which has adopted this Bye-Law ;

“*Dairy*” means any premises where milk, other than imported preserved milk is produced or kept for sale ;

“*Food preparation and food preserving establishment*” means any premises where foodstuff are prepared or preserved or exposed for sale for human consumption ;

“*Medical officer of health*” means a medical officer of health having authority in the area of the Area Council in accordance with section 3 or 4 of the public health laws ;

“*Regulated premises*” Include bake houses, corn mills, rice-mills, aerated water factories, dairies, eating houses and food preserving and food preserving establishments ;

“*Rice-mills*” means any premises set apart for the clearing and preparation of rice for sale.

23. The Bye-Law may be cited as Foodstuff and Regulated Premises Adoptive Bye-Law (No. 17) 2012 and shall become operational with effect from 2nd day of January, 2012.

Citation and
Commence-
ment.

FIRST SCHEDULE

SECTION I

*Varieties of
Foodstuff*

1. Akara (all varieties), Ojojo, Moza or Masa (all varieties), Moyinmoyin, Abala, Idele, Igbala, Abodo, Boiled or Roasted Maize (all varieties), Boiled or Fried Plantain (all varieties), Roasted or Fried Yam, Cocoyam, Sweet Potato, Puff-puff, Boiled, Fried or Roasted Meat/ Fish or Poultry, Peeled and/or Sliced Fruits, Chinchin (pastry), Adur, Fura (all varieties), Ogi (all varieties, Milgao, Bread, Rice, (all varieties), Sugar, Sliced Coconut or Coconut Cake, Shelled, Boiled or Roasted Groundnuts, Tuwo, Stews, and Soap (all varieties).
2. All varieties of stew or soup and all other foodstuffs referred to in (1) above in the course of preparation for sale by cooking.
3. Sugar, sweet, meat and other sugar products.

*Container and
Covering*

To be kept in a calabash bowl, dish or similar container fitted with a close fitting lid or cover in basket or trays (metal or wooden) covered by a white cloth.

To be prepared in earthenware or metal cooking pots fitted with a suitable close fitting lid or cover.

To be kept in covered glass jars or containers.

SECOND SCHEDULE

Section 3(c)

S/No.	Regulated Premise Types	Rate Per Month
CATEGORY "A"		N
1.	Ice Cream Stall	5,000.00
2.	Soft Drink Store (50 crates and above)	5,000.00
3.	Snack Shop/ Bar (small)	5,000.00
4.	Public Eating House (small)	5,000.00
5.	Food Coolers (2 or more)	5,000.00
6.	Food Cooler	5,000.00
7.	Food Stuffs/ Provision Shop (small)	5,000.00
8.	Provision Stall (medium)	5,000.00
9.	Provision Stall (small)	5,000.00
CATEGORY "B"		
1.	Soft Drink Shop (less than 5 crates)	4,000.00
2.	Drink Shop (100 crates and above)	7,500.00
3.	Food Kiosk	4,000.00
4.	Ice Cream Tricycles	4,000.00
CATEGORY "C" (Bakery)		
1.	Electric Oven	150,000.00
2.	Mud Oven (Medium)	100,000.00
3.	Mud Oven (Small)	50,000.00
CATEGORY "D" (Ram Seller)		
1.	Ram Seller (Temporary)	20,000.00
2.	Ram Seller (Small)	15,000.00
CATEGORY "E"		
1.	Food Processing Factories (Small)	10,000.00
2.	Private Slaughter House (Medium)	10,000.00
3.	Public Eating House (Large)	15,000.00
4.	Public Eating House (Medium)	10,000.00
5.	Aerated Water Factories (Small)	10,000.00
6.	Canteen	10,000.00
7.	Bread Van (Large)	10,000.00
8.	Meat Van (Large)	15,000.00
9.	Snack Kitchen	10,000.00
10.	Snack Shop/Bar	10,000.00
11.	Foodstuff Shop/Store (Large)	10,000.00
12.	Foodstuff Shop Provision Stall (Large)	10,000.00
13.	Cold Storage (Medium more than one)	15,000.00
14.	Freezer	10,000.00

<i>S/No.</i>	<i>Regulated Premise Types</i>	<i>Rate Per Month</i>
		<i>N</i>
15.	Cold Storage (Small) one Freezer	10,000.00
16.	Restaurant (Medium)	10,000.00
17.	Snack Tricycle	10,000.00
CATEGORY "F"		
1.	Butcher Shop (Market per Stall)	15,000.00
2.	Corn Mill (Small Scale)	7,000.00
3.	Nevadan (Small)	5,000.00
4.	Food Vendor Van	5,000.00
5.	Ice Cream Shop	5,000.00
6.	Meat Van (Small)	5,000.00
7.	Snack Shop/Bar (Medium)	5,000.00
8.	Food Stuff (Medium Store)	5,000.00
9.	Ice Cream/Popcorn Production	5,000.00
10.	Foodstuff Milling Machine	5,000.00
11.	Provision Stall (Large)	10,000.00
12.	Pepper Grinding Machine (Machine only)	5,000.00
13.	Pepper Grinding Machine (2 Machines)	7,000.00
CATEGORY "G"		
1.	Aerated Water Factory/Depot (Large)	50,000.00
2.	Breweries Depot	20,000.00
3.	Cold Room (Standard)	20,000.00
4.	Cold Room (Large)	30,000.00
5.	Distilleries	20,000.00
6.	Food Processing Factories (Medium)	20,000.00
7.	Ice Cream Factories	20,000.00
8.	Public Eating House. Restaurant	30,000.00
9.	International Standard	20,000.00
10.	Super Markets (Large)	20,000.00
11.	Staff Canteen (Small)	10,000.00
12.	Aerated Water Factory (Medium)	75,000.00
13.	Departmental Stores	12,500.00
14.	Food Warehouse (Standard)	20,000.00
CATEGORY "H"		
1.	Cold Room (Medium) Cold Storage	10,000.00
2.	Food Processing Factories (Large)	25,000.00
3.	Private Slaughter House (Large)	10,000.00
4.	Rice, Milk and Tinned Food, Water	10,000.00
5.	Staff Canteen (Medium)	10,000.00
6.	Rice/Hill Cassava Corn Grinding Mill	5,000.00
7.	Ingredient Grinding Mill	5,000.00

THIRD SCHEDULE
ABUJA MUNICIPAL AREA COUNCIL (AMAC)
HEALTH AND ENVIRONMENT SERVICE DEPARTMENT
Section 3(d)
PERMIT TO OPERATE FOOD PREMISES

Local Government Act, Laws of the FCT Abuja, 2006 regulation relating to food health

Mr/Mrs of
..... hereby
authorized to operate the
.....
at for the year
..... dated the
Fee
..... Council
receipt no

.....
P. S. H. Food
Medical Officer of Health

N.B.: Permit should be exhibited in a conspicuous place in the food premises.

DULY passed by the Abuja Municipal Area Council Legislative Arm this
..... day of, 2012.

PART XIX—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

HOTEL, GUEST INN, RESTAURANTS/ EATING HOUSES,
BAKE HOUSES, DAIRIES AERATED WATER MANUFACTURES, FOOD
PRESERVING ESTABLISHMENT AND PLACES OF SALES OF FOOD TO THE
PUBLIC AND OTHER RELATED MATTERS BYE-LAW (No. 18) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

Annual
Registration.

1. All hotels, guest inn, restaurants/eating houses, bake houses, dairies, aerated water manufacturers, food preserving establishments and place of sales of food to the public and other related matters shall be registered annually in the office of the Area Council by the proprietor or occupier carrying on the business.

Permission
to set-up
business
under this
Bye-Law.

2. No person shall set up hotels, guest inn, restaurants/eating houses, bake houses, dairies, aerated water manufacturers, food preserving establishments and places of sales of food to the public and other related matters within the Area Council unless prior permission has been obtained from the Council.

Conditions
for
permission.

3. The Area Council may grant permission to a named applicant upon his application to operate a restaurant if :

(a) A health Officer has certified the premises to be used to be hygienically fit for the purpose ;

(b) A health Officer has certified the applicant/or any one working with him to be free from any communicable diseases or any other diseases that may be transmissible through the handling of food ;

(c) The applicant pays such fees as is specified under this Bye-Law ; and

(d) The applicant meets such other conditions as the Area Council may stipulate from time to time.

Fee and
Certificate.

4. There shall be paid in respect of every registration in accordance with Section 1 above a fee to be determined by the Area Council and the Area Council shall issue the desirable certificate of registration.

Receipt of
Payment.

5. The production of receipt of payment of fees in accordance with this Bye-law shall be *prima facie* evidence of compliance with Section 194 of this Bye-Law.

Fees for
Permit.

6. Fees for granting a permit and for the yearly renewal of same shall be determined by the council which may from time to time review same.

7. Any premises which are not re-registered in the month of January in each year, shall be deemed to be unregistered premises. Non-Registration.
8. The authorised officers of Area Council may consider the size of any business outfit under this Bye-Law and affix a higher fee than stipulated herein. Power of the Council.
9. All hotels, guest inn, restaurants/eating houses, bake houses, dairies, aerated water manufacturers, food preserving establishments and places of sales of food to the public and other related matters shall be paved or concreted, and drained to the satisfaction of the medical officers of health. The area of such premises shall in no case be less than two hundred square feet. Paving of Premises.
10. All hotels, guest inn, restaurants/eating houses, bake houses, dairies, aerated water manufacturers, food preserving establishments and places of sales of food to the public and other related matters shall be lime washed inside throughout once every six months, or thoroughly cleaned periodically to the satisfaction of the Health Officer. Clearing of Premises.
11. No animal or bird shall be allowed on premises used as bake houses, dairies or aerated water manufacturing, and all such premises shall be made fly proof to the satisfaction of the medical officer of health. Prohibition of animals.
12. No room used for any purpose mentioned in Section 11 shall be used in a sleeping apartment. Use of Room as sleeping apartment.
13. The sanitary arrangements and conveniences of all premises mentioned in section 1 shall be to the satisfaction of the Medical Officer of Health. Sanitary condition or premises.
14. No water shall be used in any of the premises mentioned in section 1 except that obtained from a source approved by the Medical Officer of Health. Use of Water.
15. All flour, foodstuffs and water used in connection therewith shall be kept adequately covered and all pans, moulds and other utensils shall be maintained and kept clean to the satisfaction of the Health Officer. Use of equipment withing the premises.
16. Measures to the satisfaction of the health officer shall be taken by the owner(s) or occupier(s) of the premises mentioned in Section 1 to keep down vermin. Vermin prevention.
17. The Area Council may revoke any permit that has been granted to any person if such person refuses to : Revocation of Permit.
- (a) Obey the lawful directives of a Health Officer ;
- (b) Keep the premises in a good sanitary state.
- 18.—(a) A permit granted under this Bye-Law shall expire on the 31st of December of the year of payment. Duration of Permit.
- (b) Such permit as in herein mentioned may be renewed by the Area Council from year to year upon the application of the holder.

B 354

Offence/
Penalty:

19. Any holder who fails to renew his/her permit within two months from the expiration thereof and notwithstanding, remain in business shall be guilty of an offence and on conviction be liable to a fine of ₦50,000 (Fifty Thousand Naira) or six month imprisonment or to both such fine and imprisonment.

Non-
Issuance.

20. Where no new permit is issued upon payment of renewal fees, the old permit notwithstanding the date thereof shall remain valid for the year of such renewal.

Obligations
of owners/
operators.

21. Any person operating or owning hotels, guest inn, restaurants/eating houses, bake houses, dairies, aerated water manufacturing, food preserving establishments and places of sales of food to the public and other related matters shall :

(a) Keep the surrounding and interior of such premises clean to the satisfaction of the Health Officer ;

(b) Open such business premises for the inspection of the health Officer on request at any time between 06.00 hours in the forenoon and 18.30 hours in the evening.

Power of
Health
Officer.

22. The Health Officer may prohibit any person suffering from any disease or ailment from entering or remaining in any of the premises mentioned in section 1 above should he/she, for sanitary reasons, deem it necessary.

Power of
Medical
Officer.

23. If the Medical Officer of Health shall consider that any premises used for any of the purposes mentioned in section 1 above should, in the interest of the public health be closed, he may by notice in writing prohibit the proprietor or occupier from using such premises for any such purposes until such time as such prohibition shall be withdrawn.

Repeal.

24. The Restaurant and Places of Sale of Food Bye-Law 202 is hereby repealed.

DULY passed by the Abuja Municipal Area Council Legislative Arm this day of, 2012.

PART XX—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

PUBLIC TOILET BYE-LAW (No. 19) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

PUBLIC TOILET

- | | |
|--|--|
| <p>1. As from the commencement of this bye law it shall be an offence for any person or group of person(s) to establish/operate public toilet/bathroom without approval from the Council.</p> | <p>Prohibition of Public Toilet.</p> |
| <p>2.—(i) Any person or group of person(s) who wants to establish or operate a public toilet/bathroom shall seek approval from the Council before commencement of operation.</p> <p>(ii) The owner of the approved application shall pay a prescribed fee as may be determined by the Council by notice depending on the size of the structure to be used.</p> | <p>Approval to establish Toilet.</p> |
| <p>3.—(i) A prescribed fee as may be determined by the Council by notice shall be paid annually for renewal of the Permit/licence.</p> <p>(ii) Any person who contravenes the provisions of sections 1 and 2 of this Bye-Law shall be guilty of an offence and shall on conviction be liable to penalty not less than ₦50,000 (Fifty Thousand Naira) or 3 months imprisonment.</p> | <p>Renewal of Licence.</p> <p>Obligations of Public Toilet Operator.</p> |
| <p>4. Government owned public toilets, shall be managed by the Council, or the Council may allocate the management of such an toilet to agent or contractor on terms specified with the prescribed fees to be paid every month. Any allottee found wanting shall have his approval/licence withdrawn.</p> | <p>Area Council-owned Public Toilet.</p> |
| <p>5.—(i) The operator of public toilet (private/government) toilet operator shall clean and maintain any drain, side walls, front, and/or rear of the public toilet.</p> <p>(ii) The operator shall provide suitable holding tank for liquid waste or sewage liquor and ensure regular evacuation and disposal of same.</p> <p>(iii) No person shall cause or knowingly permit any trade or sewage effluent or liquid waste to be discharged into any drain or drainage system, road, watercourses or any part thereof except at such place as may be authorised by the FCTA or the Area Council.</p> <p>(iv) Any operator who contravenes the provisions of this section is guilty and shall be liable to fine of ₦70,000 (Seventy Thousand Naira) or three months imprisonment or to both such fine and imprisonment.</p> | <p>Obligations of Public Toilet Operator.</p> |

Dislodging of Septic Tank/Soak-away pit.

6.—(i) Any private dislodging tank/vehicle owner who wishes to operates within the Jurisdiction of Abuja Municipal Area Council shall be registered with the Environmental Health Department with ₦100,000.00 (Hundred Thousand Naira).

(ii) The License thereof shall expire on 31st December of the year of issuance.

(iii) Any dislodging vehicle owner that operates without licence within the Council is guilty of an offence under this section and on conviction is liable to a fine of ₦70,000 (Seventy Thousand Naira) or three months imprisonment or to both such fine and imprisonment.

No alteration without authority.

7. No person without the authority of the Council shall damage, remove, block up or in any way alter the fixing position or arrangement of any pipe, valve, tank or any other fittings or appliance in any public toilet, or wilfully destroy, deface or damage any wall, floor, roof or any part of the structure of such public toilet.

Repair of Toilet.

8. The agent/contractor shall ensure the constant repair of the commodes, sinks, tanks and other plumbing work in the public toilet.

Dwelling Premises Toilet.

9. Toilets in premises for dwelling shall not be used as public toilet.

Offence/ Penalty.

10. Any person or group of person(s) that contravenes any of the provisions of this Bye-Law shall be guilty of an offence and on conviction be liable to a fine of ₦10,000 (Ten Thousand Naira) or three months imprisonment or both.

Duties of Health Officer.

11. Environmental Health Officer(s) shall inspect the public toilet to ensure maintenance for maximum compliance with the provisions of this Bye-Law.

12. This Bye-Law shall be applicable throughout the geographical area of Abuja Municipal Area Council.

Interpretation.

13. In this Bye-Law—

“Council” means Abuja Municipal Area Council having Jurisdiction over this Bye-Law ;

“Health Officer” means Environmental Health Officer, or any other person acting under the authority of Medical Officer of Health, whether Sanitary Inspector or Cleaning Officer ;

“Person” mean an individual and shall include Limited Liability Company or an organization ;

“Agents” means a contractor or allottee who manages the toilet business ;

“FCTA” means the Federal Capital Territory Administration.

Citation/ Commencement.

14. This Law may be cited as Public Toilet Bye-Law” 2012, and shall become operational with effect from 2nd day of January, 2012.

DULY passed by the Abuja Municipal Area Council Legislative Arm this day of, 2012.

PART XXI—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

PEST CONTROL BYE-LAW (No. 20) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

PEST CONTROL

1. As from the commencement of this Bye-Law any premises within the territorial jurisdiction of Abuja Municipal Area Council which contains rat holes or rat runs or other similar holes or which are infested with rats shall be deratted, disinfected and fumigated for the destruction of rats, mice and other kinds of vermins, fleas, bugs or other parasites.

	Destruction of Rats and Other Insects/Pest.
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 - 2.—(a) An Health Officer(s) may order the disinfection and derealisation of any premises where there is a case or suspected cases of infectious diseases, or articles or things which may be considered necessary in the interest of public health.

	Duties of Health Officer.
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 - (b) An Environmental Health Officer shall ensure a high standard of sanitation to maintain vector free status by inspection, detection and destruction of pest, and embark on scientific measures effective for achieving a vector free environment.
 - (c) An Environmental Health Officer shall enforce statutory provisions on pest control activities and supervise the activities of private pest control firm operating within the council.
 - 3.—(a) It shall be compulsory for every owner(s), occupier(s), and owners, occupiers of adjoining premises to promptly report any case of incidence/menace of insects, rodents, reptiles and any form of vermin to the health office for necessary action.

	Incidence Reporting.
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 - (b) Every owner/occupier shall embark on measures necessary for preventing the existence or continual breeding of pest within their premises.
 - (c) The owner(s)/occupier(s) shall be responsible for the cost of the service(s) rendered/required in their premises such amount being determinable by the Council from time to time.
 4. All regulated food premises/establishment shall be thoroughly fumigated before registration at the beginning of each year and it should be repeated quarterly.

	Fumigation of Food Premises.
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- The certificate issued shall be one of the requisite conditions for registration/annual renewal of food premises permit.

Penalty. 5. Any Person(s) who contravenes any of the foregoing provisions of this Bye-Law shall on conviction be liable to a fine of ₦50,000 (Fifty Thousand Naira) for individual and ₦100,000 (One Hundred Thousand Naira) for corporate body and closure of the premises until comprehensive fumigation is carried out.

Registration of Pest Firm. 6.—(a) Any pest control firm which wishes to operate within the council area shall be registered with Medical Officer of Health/ Environmental Health Department with ₦100,000 (One Hundred Thousand Naira).

Duration of Licence. (b) The licence thereof shall expire on 31st December of the year of issuance.

Penalty. (c) Any pest control firm that operates within the territorial Jurisdiction of Abuja Municipal Area Council without approval shall be liable to a fine of ₦75,000 (Seventy Five Thousand Naira) or three months imprisonment.

Obstruction and Penalty. 7. Any person(s) who obstruct an Environmental Health Officer in the process of performing his/her duty under this Law shall be deemed to have committed an offence under this Bye-Law, and on conviction shall be liable to a fine of ₦50,000 (Fifty Thousand Naira) for individual and ₦100,000.00 (One Hundred Thousand Naira) in case of corporate firm, or imprisonment for three (3) months.

Court with Jurisdiction. 8. A Magistrate Court established for the FCT shall have jurisdiction for the trial of offences under this Bye-Law.

Interpretation. 9. In this Bye Law—
“Premises” means and include tenements, buildings, lands, vehicles, restaurants, shop/stores, warehouses and structures of any kind ;
“De-rat” means elimination of rat, rodent and other reptile with bait ;
“Fumigation” means elimination of Insect pest with strong smelling smoke, gas or chemical ;
“Disinfection” means make free from infection by killing disease germs.

Citation/ Commencement. 10. This Law may be cited as Abuja Municipal Area Council Pest Control Bye-Law (No. 21) 2012, and shall become operational with effect from 2nd day of January, 2012.

DULY passed by the Abuja Municipal Area Council Legislative Arm this 2nd day of January, 2012.

PART XXII—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

CONTRACTORS BYE-LAW (No. 21) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

CONTRACTORS

1. Any person or organization that undertakes any form of contract shall register with the council upon payment of prescribed registration fees. Registration Fees.

2.—(i) Any person who undertakes or was in operation before the promulgation of this bye-law, shall pay the following prescribed fees :

(a) Surface tank petroleum	N100,000.00
(b) Temporary shed	N50,000.00
(c) Cultural activities	N40,000.00

(ii) Pursuant to Section 243 above, such permit shall be renewable at the beginning of every year upon payment of the following fees :

(a) Surface tank petroleum	N50,000.00
(b) Temporary shed	N20,000.00
(c) Cultural activities	N30,000.00

3. It shall be lawful for the council to receive as fees payable on the following events :

- (a) Agreement fees on Sale of Land and other disposition ;
- (b) Fees for Certificate of Occupancy ;
- (c) Fees for Change of Ownership ;
- (d) Searches.

The Council shall have the power to fix and review all the yearly fees required to be paid by this Bye-Law.

DULY passed by the Abuja Municipal Area Council Legislative Arm this 2nd day of January, 2012.

PART XXIII—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

TENEMENT RATE COLLECTION BYE-LAW (No. 22) 2014

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

TENEMENT RATE COLLECTION BYE-LAW

Valuation Office

Establishment of Abuja Municipal Area Council Valuation Office.

1.—(1) There is hereby established the Abuja Municipal Area Council Valuation office which shall carry out assessment of all rateable properties in the Council Area.

(2) The Valuation Office shall have zonal offices in each district of the Council as may be considered appropriate by the Chairman.

(3) The Valuation Office or any one or body or committee authorized in that behalf by the Chairman shall be the only body in the council empowered to levy and collect rates under this Bye-Law.

(4) The Valuation Office shall consist of the Head of Valuation and such number of other staff as may be required to assist the Head in the execution of his duties under this Bye-Law.

Appointment of the Head of Valuation.

2.—(1) The Chairman shall appoint the head of valuation who shall be both the Professional and Administrative Head.

(2) The head of valuation appointed under this bye-law shall be responsible to the Chairman.

(3) The valuation office shall be responsible for :

(a) The identification, survey and valuation of rateable properties in the Council for the compilation of the valuation list.

(b) Nomination or appointment and supervision of professional advisers for valuation of rateable properties in the council.

Appointment of Appraiser.

3.—(1) The Head of Valuation in consultation with the Chairman may appoint persons who shall be qualified Estate Surveyors and Valuers registered by the Estate Surveyors and Valuers Registration Board of Nigeria or other relevant Professional Body for the purpose of this Bye-Law.

(2) The person appointed under sub-section (1) of this section shall be subject to and under the control and supervision of the head of valuation.

4. An appraiser may :

Power of
Appraiser.

(a) Require any person to give all such information orally or in writing as he may require, which may affect the assessed value of a tenement so as to ascertain and assess the property.

(b) Call upon any person liable to pay rate upon a tenement to exhibit to him any document required in connection with evaluation of a tenement.

(c) On any day (except a non-working day) between the hours of eight o'clock in the morning and six o'clock in the evening enter into or upon any tenement for the purpose of making valuation thereof, and take such measurements and other particulars, as he may deem necessary for the purpose.

(d) Call upon the occupier of any tenement for him or her to furnish his or her name and where the occupier is not the owner, the name and address of the owner thereof.

(e) Require the owner/occupier or agent for any tenement to inform him as to the boundaries of the tenement.

5. The rating authority may—

Power of
Rating
Authority.

(a) Demand and collect tenement rates from owners or occupiers of tenements and buildings after due notice of demand have been sent to them.

(b) Call upon any person liable to any rate upon tenements to exhibit to it any account, receipts for rents and rate in connection with the valuation of a tenement.

(c) Call on the occupier if he or she is not owner to furnish the name and address of the owner(s).

6.—(a) As soon as practicable after the appointment of the Head of Valuation, the Head shall cause the value of every tenement subject to rate in the council to be ascertained and assessed by an appraiser, and such assessment shall be known as the First General Assessment.

Assessment
and
Collection of
Tenement
Rate First
General
Assessment.

(b) Not less than once in every five years after completion of General Assessment, the Head of valuation shall cause a new general assessment to be made in the manner provided under paragraph (a) of this section, of every tenement subject to rate in the council.

7. As soon as the first or any subsequent general assessment has been completed, the appraiser shall make a list of the several tenements assessed and their respective valuation to any person authorised by the Area Court for signature subject to any alteration which may be made on the order of the Assessment Appeal Tribunal or a Magistrate Court.

Preparation
of Valuation
List.

8. The valuation office, after the preparation of the valuation list or an amendment to a valuation list, shall—

Publication
of Valuation
List and
Place for
Public
Inspection.

(a) Give notice in any of the widely read daily newspapers of the fact that a valuation list has been prepared and as to the place at which it may be inspected; and shall make available the list for inspection at the place mentioned

during ordinary office hours for twenty-one days from the date of publication of such notice ; and

(b) Serve upon the occupier/owner of each tenement contained in the valuation list a notice showing the assessed value thereof.

Period during which Valuation List is in Force.

9. Subject to any alteration, which may be made on the order of the Assessment Appeal Tribunal or Magistrate Court or Area Court—

(a) A valuation list prepared on a General Assessment shall, for the purpose of any rate to be levied in respect of the tenement assessed, be the valuation list for the year in which the same is published and for the next following year.

(b) In any other year the valuation list as amended and in force at the commencement of the year, shall for the purpose of any rate to be listed in respect of the tenement assessed be the valuation list.

Annual Assessment.

10.—(1) In every year in which there is no general assessment the Head of Valuation shall in the month of January, or as soon as may be convenient thereafter, cause a copy of the existing valuation list to be prepared with such additions or alterations only as are necessary to give effect to any new assessment or re-assessment of tenements, in such situations as follows—

(a) Where whether by construction of building, destruction of building or other alterations in structural condition, their assessed value has been increased or reduced ; or

(b) Where being rateable or about to become rateable has not been assessed ; or

(c) In respect of which any person claiming to be the owner thereof have delivered to the rating authority a written request for re-assessment on or before the first day of January to be ascertained and assessed.

(2) Such valuation list when prepared, shall be signed by the Head of Valuation and subject to any alteration which may be made on the order of the Assessment Appeal Tribunal or a Magistrate Court, shall be the valuation list for the year for which the then existing list has been made.

Notice and Exhibition of the Valuation List.

11. Notice of the preparation of the valuation list mentioned in Section 8 of the Bye-law and of the place at which the same may be inspected, shall be given in the manner prescribed in Section 8 and the said list shall be open for inspection for the same period as a list of the first or subsequent general assessment.

Exemptions from Assessment and Rating.

12. The following tenement shall be exempted from assessment and rating :

(a) All Lands and Buildings used exclusively for the purpose of public worship and recognized as such by Law.

(b) Cemeteries and burial grounds.

(c) Recognized and registered Public Institutions or Educational Institution certified to be non-profit making.

(d) Any tenement specifically exempted by the Chairman, and

(e) All palaces of recognized Traditional Rulers subject to paragraph (d) of this Section.

13.—(1) For the purpose of this Bye-Law all properties in the Council shall be valued by reference to the gross value.

Basis of
Valuation.

(2) The rentable value shall be arrived at by deducting an amount from the gross value. Such amount shall reflect the outgoing that will be incurred to earn the gross value.

14.—(1) In assessing a tenement, an appraiser shall in determining the gross value take cognizance of either the actual rent passing on the tenement or the rent passing on the tenement within the vicinity which has been properly analyzed by him.

Methods of
Assessment.

(2) Where it appears to an appraiser either that a tenement cannot be valued by reference to a direct rent by reason of the special nature of such property due to paucity of rental evidence for such tenement in the particular area, the appraiser may decide to use the "depreciated replacement cost" method or any other relevant method known to be in consonance with the training and practice of the Estate Valuation and Surveying Profession.

(3) For the purpose of ensuring uniformity of assessment, the appraiser shall if determining the rentable value either by reference to annual rent or current replacement cost, have regard to the level of rent prevailing in the locality for the particular type of tenement or of the building costs in the locality for that particular class of tenement.

15.—(1) A rate upon tenement shall be at a uniform rate of 4k per Naira of the calculated assessed value.

Calculation
of Rate.

(2) Such a uniform rate per Naira shall be for the time being charged at the rate of 4 per cent or 4k per Naira

(3) The rate referred to in sub-section (2) of this Section, whenever deemed appropriate shall be subject to periodic review by notice in a *Gazette*.

Notice of Objection

16.—(1) Any Owner or Occupier of a tenement who may be dissatisfied with the valuation of such tenement as appearing in the valuation, may lodge with the Head of valuation, a notice of objection. Provided that such notice shall be displayed within the valuation office and the list is open for public inspection as provided in Sections 9 and 12 hereof.

Notice of
Objection.

(2) The Notice of Objection shall state fully the grounds on which the objection is made.

(3) The person lodging an objection shall deposit with the Head of valuation a sum equal to 50 percent of the amount of rate due pending the determination of the objection, such deposit shall be credited to the rate payer's account and shall

be used to offset part or the whole of the rate depending on the outcome of the objection.

- Notice of Hearing of Objection. 17. If a Notice of Objection with the prescribed sum is lodge within the prescribed period the Committee set up to hear the objection shall give notice to the Objector and to the Head of Valuation of the date and place at which the objection will be heard.
- Onus of Proof. 18. The Onus for proving that a valuation of a tenement is wrong shall lie on the owner or occupier aggrieved by the valuation.
- Decision of Committee. 19. A Committee set up pursuant to Section 16, may confirm, reduce, increase or alter an annual valuation made in accordance with this Bye-Law.
- Powers of Committee. 20. A Committee set up pursuant to Section 16 may—
 (i) Extend invitation for the attendance of any person and may require answers to any questions which it may deem fit concerning the mater before it.
 (ii) Require and enforce the production of all books, papers and documents which it may consider necessary.
- Representa-tion of Head of Valuation. 21. The Head of Valuation may, in case of an appeal against a valuation of a tenement be represented by an appraiser or any other person appointed by him in writing or by a Legal Practitioner.
- Further Appeals to the High Court. 22. The appeal against the decision of a Committee set up pursuant to Section 16 shall lie before the Magistrate Court—
 (a) At the instance of an appellant other than the rating authority.
 (b) At the instance of the rating authority where the decision of the Committee is in respect of a matter in which the rating authority claims that the correct valuation was in the sum of N600 or more.
 (c) The cost of an appeal shall be at the discretion of the Court.
 (d) The decision of the Court shall be final.
- Time of Appeal. 23. The time allowed for an appeal shall be thirty days after Service of Notice of assessment provided that the Committee shall have the power to extend the time within which to make such appeal. And the appeal against the decision of the Committee shall be lodged within thirty (30) days from the date of decision of the Committee.
- Conditions for Appeal. 24. An Appeal shall not lie unless—
 (a) Notice is given in the prescribed manner ;
 (b) The prescribed fee is paid ; and
 (c) In the case of a person aggrieved with his tenement rate, at least One Half of the assessed rate being disputed is deposited with the rating authority.

Demand and Collection of Rates

25.—(1) A rating authority shall give notice of every rate demanded by it and of the day on which such rate can become due and payable.

Procedure
for the
Demand and
Collection of
Rates.

(2) A notice under sub-section (1) of this Section may be given by—

(a) Affixing a copy of the notice in a public and conspicuous place within the council, or

(b) publishing a copy of the notice in one or more Daily Newspapers circulating in the Area Council.

(3) Any document which is required or authorized to be served on the owner or occupier of any premises may be addressed "the Owner" or "the Occupier" as the case may be, of those premises (naming them) without further name or description and shall be deemed to be duly served—

(a) if the document so addressed is sent or delivered by registered post or delivered at the residence or place of business of the Occupier or Owner ;

(b) if the document so addressed or a copy thereof so addressed is affixed to some conspicuous part of the premises assessed.

26.—(1) Where notice has been given of the demand of a rate that has been due under Section 28 of this By-law, a person liable to pay shall pay the amount of rate due within 21 days from the service of the notice.

Surcharges.

(2) Any person liable to pay rate shall pay the amount of rate due not later than 21 days or any other date specified in the notice.

(3) Where a rate remains unpaid from the date it became due and payable, A surcharge calculated from the day following the expiration of such period shall be charged and recovered by the rating authority at the rate Twenty-Five (25%) per cent per annum for each month for which the rate remains unpaid.

27.—(1) Occupier or subsequent purchasers of a tenement shall be primarily liable while owners of such tenement or his agent shall be secondarily liable for the payment of rate except in cases where the owner also resides in the premises and in such cases the owner becomes primarily liable.

Liability to
pay
Tenement
Rate.

(2) Notwithstanding the provision in sub-section (1) of this Section if the rating authority believes that the collection of rates from occupiers of a property in multi-occupation will present problems or that it is uneconomical to bill individual tenants, the rating authority may make the owner primarily liable.

(3) Every rate demanded and levied on a tenement shall except in the case of tenement vested in the Council be a charge against the tenement rated.

Rate Collectors.

28.—(1) The rating authority may appoint Rate Collectors.

(2) A person shall not be appointed a Rate Collector without his consent except he is an employee of the rating authority.

Duties of a Rate Collector.

29. A rate collector shall—

(a) Collect and receive rates, including surcharges from person(s) liable for the payment of rates in the area in which the Rate Collector has been posted.

(b) Make returns and furnish information on the rates including surcharges which he is required to collect.

(c) Pay all the amount of rates including surcharges collected to the rating authority.

Claim for amount of Rating Authority.

30. A claim for the amount of rate payable under the provisions of this Bye-law shall be prior to all other claims against the person liable to pay the rate, except claim by the Federal Government.

Valuation Court.

31.—(1) Where a person fails to pay a rate for which he is liable, The rating authority may take the Rate defaulter to the Court with relevant jurisdiction as prescribed in this Bye-Law to obtain judgment against the rate defaulter.

(2) Any judgment obtained may—

(a) Order the rate payer to pay the rate within 21 days from the date the judgment was delivered.

(b) Empower the Council to recover the rate due and payable as a civil debt together with any surcharge due and costs.

(c) Empower the Council to seal up any tenement.

Power of the Council

(3) The Council or its authorized Agents shall have the power to seal up any tenement until the Court is seized of the matter or pending the obtaining of judgment from the Court.

Offences relating to Rate

Offences in Relation to Rate.

32. Any person who—

(a) Fails to comply with the provisions of this bye-law, or

(b) Without reasonable excuse makes an incorrect return by omitting or understating an income of which he is required to make in accordance with this Bye-Law, or

(c) Refuses or neglects to comply with any of the provisions of this Bye-law when required to do so by a Rating Authority or an Appraiser, or

(d) Prevents, hinders or obstructs any employee or agent of a rating authority or of the valuation office in the cause of his lawful duty from entering, inspecting or measuring any tenement, shall be guilty of an offence and liable on summary conviction to a fine of ₦50,000 or imprisonment for a term three months.

33. Any person who—

(a) Incites any person to refuse to pay any rate by him under this Bye-law shall be guilty of an offence and shall be liable on summary conviction to a fine of ₦100,000.00 or to imprisonment for a period of three months.

(b) Incites or assists any person to misrepresent in any way his ratable capacity, shall be guilty of summary conviction to a fine of ₦100,000.00 or to imprisonment for a period of three months.

34.—(a) Any person who, not being authorized under this Bye-law by the head of valuation or by the rating authority or collector, collects or attempts to collect any rate imposed under this Bye-law, or

(b) Collects or attempts to collect any rate other than the rates which may be imposed under this Bye-law, shall be guilty of an offence and shall be liable on summary conviction to a term of two years imprisonment without option of fine.

35. Any Rate Collector who—

(a) Fails to deposit with the rating authority any sum of money collected by him as rate, or

(b) Demands from any person an amount in excess of the duly assessed rates, or

(c) Falsifies receipt either by printing illegal receipt or presenting such with intention to cheat the rating authority, shall be guilty of an offence and liable on summary conviction to imprisonment for a period of one year or payment of a fine of ₦500,000.00 or to both such fine and imprisonment.

36. Magistrate Court of whatever grade shall have jurisdiction to try any person who contravenes or fails to comply with any provision of this Bye-Law. Such Magistrate Court shall also hear appeals from decisions of Committees on valuation objection.

37. For the purpose of giving effect to the provisions of this Bye-Law and for seeking redress in the Court, any Officer of the Legal Unit of the Council or any other Legal Practitioner authorized by the Council shall be competent to represent the Council in Court to plead or defend the cause of the Council.

Penalty for inciting any person not to pay rate.

Penalty in respect of illegal collection of Rate Collectors.

Penalty in respect of Offence by Rate Collector.

Court with Jurisdiction.

Representation.

Penalty for
Refusal to
pay Rate.

38.—(1) Any person who without lawful justification or excuse refuses to pay rate payable by him on tenement under this Bye-law on or before the date on which it is payable, shall be liable to pay an amount not exceeding double of rate owed to cover cost of recovering same from him.

(2) Failure to pay amount due from him/her in the past, shall be liable to pay the accumulated rate up to the last five years.

(3) Any judgment obtained may—

(a) Empower the Council to seal up any tenement.

(b) Order the Occupier or Owner to pay the rate within 14 days from the date the judgment was delivered.

(c) Empower the Council to recover the rate due and payable as a civil debt together with any surcharge due and costs.

AMAC By-Law to make provisions for the levying and collection of tenement rates 2014 is deemed to have come into force on 1st day of January, 2015.

Duly passed by the Abuja Municipal Area Council Legislative Arm this 6th day of October, 2014.

PART XXIV—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

PRIVATE SECTOR PARTICIPATION REFUSE OPERATIONS (PSPRO) BYE-LAW
(No. 23) 2012

ENABLING LAW :

Pursuant to the provisions of Section 7 and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria 1999, and Sections 55 and 56 of Niger State Local Government Laws of 1976, and other relevant Sections of the Local Government Act, Laws of the Federal Capital Territory, Abuja, 2006 and all other Laws enabling it in that behalf, the Abuja Municipal Area Council hereby makes the following Bye-Law :

PRIVATE SECTOR PARTICIPATION REFUSE OPERATIONS

1. As from the commencement of this Bye-Law, every owner or occupier of premises, private sector participation building and tenement shall engage the services of a private sector participation Refuse Operator registered and/or licensed by the Abuja Municipal Area Council for the purpose of removal, transportation and disposal of refuse from such building, premises and/or tenement. Compulsory Patronage of PSP Refuse Operator.
2. It shall be an offence for any unregistered PSP Refuse Operator to carry on business and/or operation within any part of the territorial jurisdiction of the Area Council. Compulsory Registration for PSPRO.
3. It shall be an offence for any owner or occupier of any building or tenement within the territorial jurisdiction of the Area Council to dispose of refuse other than by and/or through the instrumentality of PSP operator registered by Abuja Municipal Area Council. Owner/ Occupier only to patronize.
4. It shall be an offence for any person whether an individual or a body corporate or unincorporated to obstruct a registered and/or licensed PSP Refuse Operator or its agent or delegate in the process of performing the legitimate duty of refuse collection under this Bye-Law. Obstruction of PSPRO or his/her delegate.
5. This Bye-Law may be referred to as "Private Sector Participation Refuse Operations Bye-Law" 2012 and shall become operational with effect from 2nd day of January, 2012. Citation and Commencement.

DULY passed by the Abuja Municipal Area Council Legislative Arm this 2nd day of January, 2012.

PART XXV—ABUJA MUNICIPAL AREA COUNCIL (AMAC)

LIQUOR LICENCING BYE-LAW, (No. 24) 2012

Publication
of Sales of
Liquor
without
Licence.

1. As from the commencement of these Bye-Laws, no person shall carry out the sale of any liquor without a license issued by the Abuja Municipal Area Council for that purpose.

Description
of Liquor
Licence.

2.—(a) The following description of licenses including those in the First Schedule hereunder for the sales of liquor maybe granted by the Area Council—

- (a) A tavern license ;
- (b) A wine and beer On-Licence ;
- (c) A wine and beer Off-Licence ;
- (d) A hotel liquor Licence ;
- (e) A club liquor Licence ;
- (f) A general wholesales Liquor Licence ;
- (g) A general retail liquor Licence ;
- (h) Restaurant/Bar liquor Licence.

(b) A license granted under this law shall not be transferred to a third party. Such license shall be surrendered to the Area Council if the holder winds-up business and/or intends to leave the Area Council.

Application
for Licence.

3. A license may be obtained on application and upon payment of the fees prescribed from time to time by the Area Council in accordance with the classification set out in Section 2 hereof and as reflected at the first schedule. The Area Council shall have powers to prescribe separate fees for those categories of licenses not included in the First Schedule hereunder.

Duration of
Licence.

4. Any licenses issued shall expire on the 31st of December of the year of issue.

Renewal of
Licence.

5. A license issued shall be renewed annually and on payment of the prescribed fees.

Display of
Licence.

6. Any license issued under these Bye-Laws shall be displayed at a conspicuous place within the place of sale of such liquor.

Authority
Conferred
by Licence.

7. Subject to the provision of these Bye-Laws—

(a) A tavern license as in Form 'A' (Second Schedule) shall authorize the licensee, therein named to sell liquor by retail, during the permitted hours.

Publication of Sale of Liquor with Licence.

(b) A wine and beer on license Form 'B' (Third Schedule) shall authorize the licensee therein named to sell retail wine and beer, during the permitted hours, to be consumed on the premises therein specified.

(c) A wine and beer off license shall authorize the licensee therein named to sell on the premises therein specified, during the permitted hours, wine and beer, in quantities not exceeding twelve bottles during the space of 24 hours to any one person, for consumption off the said premises.

(d) A hotel liquor license Form 'C' (Fourth Schedule) shall authorize the licensee therein named to sell liquor by retail on the premises therein specified—

(i) to a person sleeping on the premise.

(ii) During the permitted hours, to person not sleeping on the premises, to be consumed on the premises.

(e) A club liquor license shall authorize the sale by retail of liquor to members of the club to be consumed on the premises of the club.

(f) A general wholesale liquor license shall authorize the person therein named to sell liquor by whole sale on the premises therein specified during the permitted hours for consumption off the premises.

(g) A general retail liquor license shall authorize the person therein named to sell liquor by retail on the premises therein specified, during the permitted hours for consumption off those premises.

8. A wine and beer on license, and a wine and beer off license shall not authorize the sale of wine or beer containing more than twenty per Centum of pure alcohol.

9. The hours during which liquor may be sold under :

(a) a tavern license ;

(b) a wine and beer on license ;

(c) a wine and beer off license ;

(d) a hotel liquor license ;

(e) a general wholesale liquor license ;

(f) a general retail liquor license.

Shall be between 8.00a.m. and 12 midnight on any day :

(i) Provided that liquor may be sold under a hotel license to person sleeping on the premises to be consumed thereon, on any day and at any hour.

(ii) Liquor may be sold under a club liquor license to members of the Club on any day and at any hour.

10.—(a) Subject to the provision of these Bye-laws, the Area Council may grant temporary liquor license by retail.

(b) a temporary liquor license—

(i) Shall not be granted for the sale of liquor at any place other than a place of recreation, amusement or assembly.

(ii) Shall not be granted for a period exceeding three days.

Permitted
Hours.

Temporary
Liquor
Licences.

(iii) Shall specify the number of days during which and the hours between which the sale of liquor is authorized by the license.

Inspection
of Premises
Used for the
Sale of
Liquor.

11. Any person authorized by the Area Council may from time to time enter any premises for the purpose of inspecting the license issued under these Bye-Laws during official hours not exceeding 8.00pm.

Prohibited
Areas for
Sale of
Liquor.

12. All alcoholic, that is, drinks of any description are prohibited for sale in the following areas :

- (a) Schools ;
- (b) Motor Parks ;
- (c) Markets ;
- (d) Residential quarters ;
- (e) Worship centres ;
- (f) Cinema homes ;
- (g) Hospitals ;
- (h) Any other places as the Area Council may name in a Public Notice.

Penalty for
Failure to
Produce or
Procure
Licence.

13. Where in the course of inspection of the licensed premises it become evident to the authorized person that there is default, he shall arraign the occupier owner, or proprietor before a court of competent jurisdiction and such court shall have power to enforce the compliance with the provision of these Bye-Laws.

Offences.

14.—(a) A person shall not sell liquor unless he holds a license issued under these Bye-laws; nor shall a licensee sell a liquor at any place except that at which the license authorizes sale.

(b) If any person acts in contravention of the provision of Section 14(a) hereof, he shall be guilty of an offence and shall be liable on conviction to fine of ₦100,000.00.

Offences by
Retail
Licence
Holder.

15. The holder of a retail license who :

- (a) Permits drunkenness or any riotous or quarrelsome conduct to take place upon his premises.
- (b) Sells liquor to any person already in a state of intoxication or by any means encourage or incites any such person to drink intoxicating liquor.
- (c) Sells a liquor to a child under sixteen years of age for consumption on the licensed premises.
- (d) Sells or supplies liquor to a Soldier, Civil Defence Officer or Police Officer on duty or knowingly harbours or suffers to remain on his premise any such Soldier or Police Officer or Civil Defence Officer unless for the purpose of keeping or restoring order or in execution of his duty.

(e) Permits the premises to be used as a brothel or the habitual resort or place of meeting of prostitutes, or allows any such person to remain on the licensed premises longer than is necessary for the consumption of any liquor purchased by her.

(f) Fails to admit or obstructs any authorized person or any Police Officer wishing to enter the licensed premises in execution of his duty or fails to produce his license when requested to do so by the said persons.

(g) Keeps his premises open for sale of liquor during any time when he is not authorized by his license to sell liquor or allow any liquor to be consumed on such premises during any such time, or

(h) Being the holder of a tavern license, a wine and beer license or a general retail liquor license, permit gaming or any unlawful game to be played on the licensed premises, or

(i) Not being a holder of license, obstructs any authorized persons or Police Officer from inspecting the premises where the sale of liquor takes place for the purpose of ascertaining whether the required license was obtained in accordance with these Bye-Laws, Shall be guilty of an offence and liable on conviction to the sum of ₦100,000.00 or 6 (six) months imprisonment.

16. Any person who—

(a) Not being the occupier or a servant or a member of the family of the occupier, personates as such so as to remain beyond 12 midnight to consume any intoxicating liquor on premises licensed for the sale of liquor, or

(b) Obtains or attempts to obtain intoxicating liquor during the hours when sale of liquor is prohibited by falsely representing himself to be a person sleeping on a hotel premises: shall be guilty, of an offence and, liable on conviction to a fine ₦50,000.00.

Offences by
Person
Other than
Licence
Holder.

17.—(1) Every holder of a license (other than a club license) granted by the Area Council authorizing the sale of liquor by retail, shall suspend or affix, and maintain over the entrance to the license premise a board on which shall be printed in legible characters the name of the license and the class of the license of which he is the holder.

Application.

(2) A breach of the foregoing shall attract a fine of ₦100,000.00.

18.—(a) The Chairman AMAC shall raise a monitoring committee of such number as he may think fit on liquor to be headed by councillor in-charge of social development.

Monitoring
Committee.

(b) It shall be the responsibility of the committee to ensure compliance of operators to this Bye-Laws.

19.—(i) No person who is not licensed shall have any words on his premises purporting that he is licensed, and no licensed person shall have any word or title on his premises suggesting that he is licensed in any other way than in which he is duly licensed.

Personation.

(ii) A breach of the foregoing shall attract a fine of N100,000.00.

Application.

20. These Bye-Laws shall apply to all persons within the geographical sphere of the Abuja Municipal Area Council.

Interpretation.

21. In these Bye-Laws, unless the context otherwise require "Authorized Person" means any official of the Area Council or any person who may be authorized to perform any function under these Bye-Laws.

"*Tavern license*" means a license granted to an inn ;

"*Beer*" includes every description beer; porter, cider and perry and fermented malt liquor ;

"*Court of competent Jurisdiction*" means magistrate courts ;

"*Intoxicating Liquor*" and "*Liquor*" means any liquid which, if used as a beverage may have an intoxicating effect and wines, and beers ;

"*Area Council*" means the Abuja Municipal Area Council ;

"*Monitoring Committee*" means the liquor monitoring committee of Abuja Municipal Area Council.

Citation and Commencement.

22. This Bye-Law may be cited as Liquor Licensing Bye-Law and shall commence on the 2nd day of January, 2012.

<i>S/No.</i>	<i>Description</i>	<i>FIRST SCHEDULE</i>			<i>Section 3</i>
		<i>Large A</i>	<i>Medium B</i>	<i>Small C</i>	
1.	Wholesale Liquor	200,000	100,000	50,000	
2.	Depot (Beer)	500,000	250,000	150,000	
3.	Departmental/Super Store Liquor	200,000	100,000	50,000	
4.	Supermarket/Shop	50,000	20,000	15,000	
5.	Restaurant Liquor	20,000	10,000	5,000	
6.	Hotels	500,000	200,000	70,000	
7.	Beer Parlour	20,000	10,000	5,000	
8.	Native Liquor	1,500	500	100	
9.	Club Liquor	150,000	100,000	50,000	

SECOND SCHEDULE

FORM A

Liquor (Licensing) Bye-Law, 2012 (Section 7(a))

TAVERN LICENCE

.....of is hereby
Licensed to sell by retail intoxicating liquor on
.....
(description and situation of premises) to be consumed on the said premises
between the hour of 6.00am and 12 midnight.

The License is issued subject to the provisions of the Liquor (Licensing) Bye-
Laws 2001 and the following special conditions—

- 1.
- 2.
- 3.
- 4.

Dated this Day of 20

Fee :

Council Receipt No. of

.....
Area Officer

THIRD SCHEDULE

FORM B

Liquor (Licensing) Bye-Law, 2012 (Section 7(b))

WINE AND BEER ON LICENCE

.....of is hereby authorized to sell by retail wine and beer on to be consumed on the said premises between the hour of 6.00a.m. and 12 midnight.

The License is issued subject to the provisions of the Liquor (Licensing) Bye-Laws 2001 and the following special conditions—

- 1.
2.
3.
4.

Dated this Day of 20

Fee :

Council Receipt No. of

.....
Area Officer

FIFTH SCHEDULE

FORM C

Liquor (Licensing) Bye-Law, 2012 (Section 7(d))

HOTEL LIQUOR LICENCE

..... of is hereby authorized to sell ret ant intoxicating liquor.

(a) On any day at any Hour to person sleeping on the premises to be consumed thereon.

(b) Between the hours of 6.00 a. m. and 12 midnight to person not sleeping on the premises. To be consumed on the premises.

The license is issued subject to the provisions of the liquor (licensing) Bye-Laws 2001 and the following special conditions—

- 1.
- 2.
- 3.
- 4.

Dated this Day of 20

Fee :

Council Receipt No. of

.....
Area Officer

Repeal : The AMAC Liquor Licencing and Control Bye-Law, 2001 is hereby repealed.

DULY passed by the Abuja Municipal Area Council Legislative Arm this 2nd day of January, 2012.

Assented to by

HON. MICAH Y. JIBA
Executive Chairman
Abuja Municipal Area Council

We certify that the above laws were duly passed into law by the Abuja Municipal Area Council and the MUNICIPAL AREA COUNCIL SEAL IS HEREBY AFFIXED TO THESE BYE-LAWS.

Signed

SPEAKER OF LEGISLATIVE COUNCIL

Signed

HON. MICAH Y. JIBA
Executive Chairman
Abuja Municipal Area Council