

**ORDINANCE SUPPLEMENT**

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*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*

THE LOCAL GOVERNMENTS (KAMPALA CITY COUNCIL)  
(MAINTENANCE OF LAW AND ORDER) ORDINANCE, 2006

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ARRANGEMENT OF PARAGRAPHS

*Paragraph.*

PART I—PRELIMINARY

- 1 Citation.
- 2 Application.
- 3 Interpretation.

PART II—MAINTENANCE OF ORDER

- 4 Dancing and drum beating.
- 5 Barbed wire.
- 6 Removal of trees etc.
- 7 Certain prohibited acts.
- 8 Removal of obstructions.
- 9 Stacking of wood.

PART III—FIRE PREVENTION

- 10 Interference with fire alarm.
- 11 Dangerous fires.
- 12 Permit to burn rubbish.

PART IV—STREET TRADERS, FOODSELLERS AND HAWKERS

- 13 Street trader permit.
- 14 Permit to erect booth.
- 15 Hawkers permit.
- 16 Issue of permit discretionary.

PART V—SPECIAL HIRE TAXIS AND BODA-BODA

17. Special hire taxi permit.
18. *Boda boda* permit.
19. Application for permit.
20. Badge.
21. Uniform.

PART VI—CAR WASHING BAYS

22. Car washing bay licence.
23. Application for car washing bay licence.

PART VII—MISCELLANEOUS

24. Permit to camp.
25. Parks.
26. Fees and charges.
27. Offences and penalties.

Schedule—Currency Point

**THE LOCAL GOVERNMENTS (KAMPALA CITY COUNCIL) (MAINTENANCE OF LAW AND ORDER) ORDINANCE, 2006**

*(Under sections 38, 40 and 41 and paragraphs 3(a), (b), (g), (h), (n), 9,10,11, 26, 28(e) and 31 of Part 3 of the Second Schedule of the Local Governments Act, Cap 243)*

**An Ordinance to provide for the maintenance of law and order and to provide for other connected matters.**

BE IT ORDAINED by the Council of the City of Kampala as follows:

PART I—PRELIMINARY

1. This Ordinance may be cited as the Local Governments (Kampala City Council) (Maintenance of Law and Order) Ordinance, 2006. Citation.
  
2. This Ordinance applies to the maintenance of law and order within the jurisdiction of the Council. Application.
  
3. In this Ordinance, unless the context otherwise requires— Interpretation.
  - “Act” means the Local Government Act;
  - “*boda boda*” means any bicycle or motor cycle that is hired for private transport for a fee;
  - “building” includes any structure of whatever materials used for its construction;

*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*

“car washing bay” means any place set up for and used for commercial washing of vehicles;

“City” means Kampala City;

“currency point” has the value assigned to it in the Schedule to this Ordinance;

“hawker” means a person who, whether on his or her own account or as the servant of another person, sells goods by retail other than in trading premises or in market established under the Markets Act;

“Minister” means the Minister responsible for local government;

“premises” includes land, a building or structure of any kind or any part of such land, building or structure;

“special hire taxi” means any motor vehicle hired by an individual as private transport for a fee;

“veterinary officer” means a person authorised as a veterinary officer under the Animal Diseases Act.

PART II—MAINTENANCE OF ORDER

Dancing  
and drum  
beating.

4. (1) A person shall not—

(a) hold or permit to be held any dance, other than in a building; or

(b) beat a drum or other noisy entertainment instrument,

unless he or she is in possession of a permit issued by the Council.

*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*

(2) A permit under this paragraph may be issued subject to such conditions as the Council may deem fit and the breach of any conditions of the permit shall constitute an offence.

(3) Any person obtaining a permit under this paragraph shall be responsible for the maintenance of due order at the entertainment and, in the event of a disturbance or a breach of peace occurring at the entertainment, the holder of the permit shall be taken to have committed an offence unless he or she can satisfy the court that he or she took due precautions for the maintenance of order and that any disturbance or breach of peace that may have occurred was occasioned by causes beyond his or her control.

5. A person shall not use barbed wire as part of a fence abutting on any street or public place except with a written permit issued by the Council and subject to such conditions as the Council may impose.

Barbed wire.

6. Where any tree, hedge or other vegetation borders any street and protrudes into a street so as to cause damage or obstruction on the street or to traffic on the street or to any drain as to constitute a source of danger to the public, the Council may serve a notice on the occupier or owner of the premises to do what is necessary to remedy the matter and, in default of compliance with the notice, the Council may enter on the land upon which the tree, hedge or vegetation is found and cut, trim, or remove the tree, hedge or vegetation without any compensation to the occupier or owner.

Removal of trees etc.

(2) Where the premises are vacant and the owner or occupier cannot be found or is outside Uganda the notice may be served by affixing a copy on some conspicuous part of the premises.

7. A person who—

Certain prohibited acts.

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6** *of Law and Order) Ordinance* **2006**

- (a) without the consent of the Council, places or leaves, or causes to be placed or left, in any foot-way, arcade, street or other public place any object which constitutes, or which is likely to constitute an obstruction;
- (b) throws or discharges any stone, or other missile onto any street or place of public resort;
- (c) disturbs the peace in any street, place of public resort or in any place within a view or hearing distance of persons in a street or public resort, by quarrelling with any person, or by being abusive to any other person who is in such street or place or within sight or hearing distance;
- (d) with the intention of annoying, or irritating a person, sings or utters any abusive song or words, whether any person is particularly addressed in the words or song or not or uses any indecent or obscene word or gesture in a street or place of public resort, or in any place within view or hearing distance of the persons in such place;
- (e) makes or causes any excessive noise either by himself or herself or with any instrument or machine or creates any disturbance;
- (f) is found drunk in any street or place of public resort, whether in a building or not;
- (g) engages in any riotous or disorderly behaviour while in any street or place of public resort, whether a building or not, or on any licensed premises;
- (h) commits a nuisance by easing himself or herself in any street or place of public resort or in any place being an appurtenance of or adjoining a dwelling house or in any place where he or she may be seen by the public;

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6** *of Law and Order) Ordinance* **2006**

- (i) without the consent of the Council, defaces, injures or removes any street name or number or any railing in any street or any public place;
- (j) spits in any street or place of public resort;
- (k) posts or affixes any notice, bill or other paper of a frivolous, vexatious, abusive or improper nature on any public board or to any board, wall or other place, or writes or draws any thing of such nature on any board, wall or other place;
- (l) without the consent of the Council, extinguishes any street light or destroys or damages any street lamp or lamp post;
- (m) without the consent of the Council, breaks, damages, or displaces any tool, trestle, bar, stone, material, barrier, lamp, notice or other article whatsoever on any street or public place belonging to the Council or used thereon under its authority;
- (n) without the consent of the Council, breaks, uproots or in any manner damages any tree, plant or shrub growing on any street, public place, public land, Government compound or camping site;
- (o) without the consent of the Council, enters upon any lawn or area covered in grass or laid out as a garden upon which the Council has displayed a notice forbidding persons to do so;
- (p) suffers any waste water, filth, sweeping or matter to be discharged or to flow into or upon any street, passage, footpath, or arcade, or into any drain or channel which has been constructed for the removal of storm water only;

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6** *of Law and Order) Ordinance* **2006**

- (q) fills up or obstructs any ditch;
- (r) breaks up the surface of a street or makes a hole or excavation elsewhere than upon premises owned or occupied by him or her, without the consent in writing of the Council, otherwise than in accordance with any conditions contained in the Council's consent;
- (s) discharges any firearm within the boundaries of the City, except with the permission of the Council;
- (t) in any street or public place slaughters any animals or cleans any carcass;
- (u) neglects to fence in or duly protect any excavation, well, tank or other dangerous place or structure;
- (v) by any act or default, causes or suffers to be fouled or obstructs a well, stream, tank, reservoir, aqueduct, pond or place used or intended for supply of water to man or beast; or
- (w) enters into or upon any premises without lawful business or without the consent of the occupier or remains on any premises after being asked to leave by any occupier, which term shall for the purposes of this sub-paragraph include any person who for the time being is in charge of such premises,

commits an offence.

Removal of  
obstructions.

**8.** (1) The Council may remove or cause to be removed any object which is left on any public place in contravention of this Ordinance which appears to have been lost or abandoned.

(2) Where the owner of the object referred to in sub paragraph (1) is subsequently ascertained, the Council shall notify him or her and return the object to him or her.



*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*

(3) If the owner cannot be ascertained, the Council shall hand over the object to the local police authority to be dealt with in accordance with the Police Act or any other law.

(4) The cost of the removal, storage or notification borne by the Council in disposing of the object shall be paid by the owner of the object, if ascertained, and may be recovered summarily as a civil debt.

9. (1) A person shall not stack in any part of the City, any wood other than wood to be for domestic purposes, except with a permit issued by the Council.

Stacking of wood.

(2) A permit granted under this paragraph may be granted subject to such conditions as the Council may deem fit and any breach of the conditions shall constitute an offence.

(3) For the purpose of this paragraph “wood” includes all sorts of timber, logs, firewood and charcoal.

PART III—FIRE PREVENTION

10. Any person who, without reasonable cause, interferes with or makes use of, causes or tampers with any public fire alarm using a wire or other appurtenance, commits an offence.

Interference with fire alarm.

11. A person shall not make or cause or permit to be made a fire in such manner as to endanger the safety of any person, building or property.

Dangerous fires.

12. (1) A person shall not, without a permit from the Council, burn or cause or permit to be burnt in open air in a public place any rubbish or any thing, which emits smoke or fumes.

Permit to burn rubbish.

(2) This paragraph does not apply to the burning of quantities of rubbish of less than fifty cubic feet in size if proper precautions are taken and burning of the rubbish causes no nuisance.

*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance* **2006**  
PART IV—STREET TRADERS, FOODSELLERS AND HAWKERS.

Street trader  
permit.

**13.** (1) A person shall not, ply his or her trade on any pavement, arcade, foot-way, street, un-alienated public land, unoccupied land or land in the possession of the Council unless he or she is in possession of a permit issued by the Council under the Local Governments (Kampala City) (Street Traders) Byelaws.

(2) A permit under sub paragraph (1) of this paragraph may be issued subject to such conditions as the Council deems fit.

(3) A person under the age of eighteen years shall not be issued with a street traders permit.

Permit to  
erect booth.

**14.** (1) A person shall not, without a permit issued by the Council, erect or place any stall, booth, burrow, table or stand on any pavement, arcade, foot-way, street, un-alienated public land, unoccupied land, or land in the possession of the Council.

(2) A permit under subparagraph (1) of this paragraph shall be issued subject to such conditions as the Council deems fit.

Hawkers  
permit.

**15.** (1) A person, other than a person licensed under the Public Health (Licensing of Tradespersons) Rules, shall not hawk unless he or she is in possession of a permit issued by the Council under the Local Governments (Kampala City) (Hawking) Bye-laws.

(2) A permit under sub paragraph (1) of this paragraph shall be issued subject to such conditions as the Council may deem fit.

Issue of  
permit  
discretionary.

**16.** (1) The issue and renewal of permits under this part of the Ordinance shall be at the Council's discretion.

(2) Any person who—

(a) prior to the coming into force of this Ordinance was lawfully carrying out a trade or engaged in an occupation that requires a permit under this Ordinance;

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6 of Law and Order) Ordinance 2006**

(b) has at any time held a permit under this Ordinance, may if the Council refuses to grant or to renew his or her permit appeal to the Minister and the Minister shall give his or her decision which shall be final after due consideration of the person's age, character and the circumstances.

(3) Where a holder of a permit under this Ordinance is convicted of any offence under the Penal Code Act, the Public Health Act or rules made under the Act, the Council may cancel or refuse to renew his or her permit at any time.

PART V—SPECIAL HIRE TAXIS AND *BODA BODAS*

**17.** (1) A person shall not operate a special hire taxi within the City unless he or she is in possession of a valid permit issued by the Council or its authorised agent.

Special hire taxi permit.

(2) A person operating a special hire taxi shall not use any area within the City as a parking stage unless that area is designated and approved by the Council as a parking stage.

**18.** (1) A person shall not operate a *boda-boda* within the City without a permit issued by the Council.

*Boda boda* permit.

(2) A person operating a *boda-boda* shall not use any area within the City as a parking stage unless that area is designated and approved by the Council to be used as a parking stage.

**19.** (1) Any person intending to operate a special hire taxi or a *boda boda* may apply to the Council for a permit.

Application for permit.

(2) An application under subparagraph (1) of this paragraph shall indicate—

(a) the name of the applicant;

(b) the physical and postal addresses of the applicant; and

*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*

(c) the location where the applicant intends to operate.

(3) The Council may refuse to grant a permit or may grant it subject to such conditions as the Council deems fit.

Badge.

**20.** (1) The Council shall issue to a successful applicant for a special hire taxi permit or a *boda-boda* permit, a numbered badge in such form as the Council may determine.

(2) A special hire taxi operator or a *boda-boda* operator to whom a badge has been issued under this Ordinance shall display the badge in a conspicuous part on his or her person at all times when carrying out his or her operations as a special hire taxi or *boda boda* operator.

Uniform.

**21.** A special hire taxi operator or a *boda-boda* operator permitted to operate under this Ordinance shall at all times wear a uniform approved by the Council when carrying on his or her duties.

PART VI—CAR WASHING BAYS

Car washing bay licence.

**22.** (1) A person shall not, without a licence issued by the Council, use any area in the City as a car-washing bay.

(2) A person licensed to operate a car-washing bay shall not use any area within the City as a car-washing bay unless that area is designated and approved by the Council as an area to be used for car washing business.

Application for car washing bay licence.

**23.** (1) Any person intending to operate a car-washing bay may apply to the Council for a licence.

(2) An application under subparagraph (1) of this paragraph shall indicate—

(a) the name of the applicant;

(b) the physical and postal address of the applicant; and

PART VII—MISCELLANEOUS

**24.** (1) A person shall not pitch a tent, park a caravan or camp in any place other than in a private compound or on land set aside for camping by the Council, unless he or she has a permit from the Council. Permit to camp.

(2) The Council may impose upon a person under sub paragraph (1) such conditions as the Council may deem fit.

(3) A person who contravenes the provisions of sub paragraph (1) commits an offence.

**25.** (1) The control and management of all parks within the Council’s jurisdiction shall vest in the Council or in any other person authorised by the Council. Parks.

(2) The Council may—

(a) do everything that may be necessary to provide for the proper layout, equipment, maintenance and control of parks for use by the public;

(b) grant any club, association or similar body or any person, the exclusive use of any park or part of it for the purpose of any game or sport or for any fete, gala or similar event for such period and on such terms and conditions including payment of fees as the Council may determine;

(c) impose and collect fees and charges for the hiring and use of facilities and equipment provided in any park and requiring if it thinks fit, a money deposit in respect of the hiring and use of the facilities and equipment; or

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6** *of Law and Order) Ordinance* **2006**

(d) impose and collect admission charges to any enclosure provided in or around any park, or to authorise the imposition and collection of charges by any person to whom the Council has granted the exclusive use of the enclosure.

(3) The Council shall not be responsible for the loss, theft of or damage to any property or article belonging to any person using a park.

(4) Every person using a park shall obey the lawful directions of an officer of the Council appointed for the purpose of preserving and maintaining order in the park.

(5) A person shall not in a park—

(a) wilfully obstruct, annoy or interfere with any other person in his or her use of the park or any officer or servant of the Council in the proper execution of his or her duty;

(b) wilfully damage or destroy in any way with any pitch, shrub, tree, flower, lawn, equipment or property of the Council;

(c) deposit or leave litter or rubbish except in a receptacle provided for that purpose;

(d) allow his or her child or any child in his or her care or charge for the time being, to do any act prohibited under this paragraph.

(6) In this paragraph unless the context otherwise requires, “park” includes any public recreation ground, playing field or open space.

*Local Governments (Kampala City Council) (Maintenance*  
**Ordinance 6 of Law and Order) Ordinance 2006**

**26.** (1) The Council shall fix the fees and charges in respect of permits and licences prescribed under this Ordinance as it deems fit and may from time to time vary such fees and charges.

Fees and charges.

(2) Permits and licences under this Ordinance shall be in the form prescribed by the Council as it may determine.

(3) The Council may waive any fees or charges payable under this Ordinance.

**27.** (1) Any person who contravenes any of the provisions of this Ordinance or of any requirement or instruction lawfully made or issued under this Ordinance or of any of the conditions of a licence, permit or authorisation issued under it commits an offence and is liable on conviction to a fine not exceeding two currency points or to imprisonment not exceeding two months or both.

Offences and penalties.

(2) A person convicted of an offence under this Ordinance and who continues to commit the offence for which he or she is convicted shall be liable to a further fine of one currency point for each day that he or she continues to commit the offence from the date of his or her conviction.

*Local Governments (Kampala City Council) (Maintenance  
Ordinance 6 of Law and Order) Ordinance 2006*  
SCHEDULE

*Paragraphs 3 and 27*

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.

PASSED by the City Council of Kampala on 30th day of April, 2004.

I HEREBY signify my hand this 10th day of May, 2005.

**Cross References**

Animal Diseases Act, Cap. 218

Local Governments Act, Cap. 243

Markets Act, Cap. 94

Police Act, Cap. 303

Public Health (Licensing of Tradespersons) Rules, S.I. No. 281-29.

Public Health Act, Cap. 281.

Penal Code Act, Cap. 120

Police Act, Cap. 303

Local Governments (Kampala City) (Hawking) Bye-laws, S.I. No. 243-24.

Local Governments (Kampala City) (Street Traders) Bye-laws

S.I. No. 243-23.

JOHN SSEBAANA KIZITO,  
*Mayor, Kampala City Council.*