



Del
7-11-23
2/8/23

RECORDS SECTION
COUNTY ASSEMBLY OF BUNGOMA
02 AUG 2023
RECEIVED
P O Box 1886 50200, BUNGOMA

1/8/23
Schedule
2/8/23

COUNTY ASSEMBLY OF BUNGOMA

Telephone: 055-2030854/020-2030309
Email: bungomacountyassembly@gmail.com

P.O. BOX 1886-50200,
BUNGOMA, Kenya.

REF: REPORT NO (4)

18th July, 2023

INTERNAL MEMO

TO: CLERK OF THE COUNTY ASSEMBLY
FROM: CHAIRPERSONS ON COMMITTEES ON TRADE, ENERGY AND INDUSTRIALIZATION & FINANCE AND ECONOMIC PLANNING
DATE: 19th JULY, 2023
RE: REPORT BY THE JOINT COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION & FINANCE AND ECONOMIC PLANNING ON THE BUNGOMA COUNTY PUBLIC MARKET AMENDMENT BILL, 2023.

The above subject matter refers.

Forwarded herewith, please find the report by the joint committee on Trade, Energy and Industrialization & Finance and Economic planning on the Public Market Amendment Bill, 2023.

Kindly facilitate its approval for tabling.


Hon. Johnston O Ipara

CHAIRPERSON-
COMMITTEE ON TRADE,
ENERGY AND INDUSTRIALIZATION

COUNTY GOVERNMENT OF BUNGOMA



COUNTY ASSEMBLY OF BUNGOMA

THIRD ASSEMBLY-SECOND SESSION

**A REPORT OF THE JOINT COMMITTEE ON TRADE, ENERGY AND
INDUSTRIALIZATION AND COMMITTEE ON FINANCE AND ECONOMIC
PLANNING ON THE BUNGOMA COUNTY PUBLIC MARKETS
AMENDMENT BILL, 2023**

Clerk's Chambers
2023

County Assembly of Bungoma

P.O BOX 1886-50200

BUNGOMA, KENYA

JUNE,

TABLE OF CONTENTS

TABLE OF CONTENTS	ii
CHAPTER ONE	1
1.1 Preface	1
1.2 Establishment and Mandate of the Committees	1
1.3 Committees' Membership	2
1.4 Acknowledgement	4
CHAPTER TWO	5
2.1 Background.....	5
2.2 Objects and Purpose of the Bill	5
2.3 Overview of the Bill.....	5
2.4 Legal Parameters.....	6
CHAPTER THREE	8
3.1 Public participation	8
3.2 Public Views.....	9
3.2.1 Summary of Public views	9
CHAPTER FOUR.....	11
4.1 CONSIDERATION OF THE BILL.....	11
CHAPTER FIVE.....	12
5.1 COMMITTEE OBSERVATIONS.....	12
5.2 COMMITTEE RECOMMENDATION	12
ADOPTION SCHEDULE.....	13
ANNEXURES.....	14

CHAPTER ONE

1.1 Preface

Mr. Speaker Sir,

On behalf of the Members of the Committee on Trade, Energy and Industrialization, and Committee on Finance and Economic Planning it is my pleasure and duty to present to this House the Report of the committee on the Bungoma County Public Markets Amendments Bill, 2023.

1.2 Establishment and Mandate of the Committees

Mr. Speaker,

The Trade, Energy and Industrialization committee and Finance and Economic Planning were established on 26th October; 2022 in accordance with the Standing Order No.179.

The mandates of the Committees are derived from the Standing Order **217** and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010.

The functions of a Sectoral Committee shall be to;-

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Consider quarterly reports of the assigned departments and report to the house within twenty-one sitting days upon being laid
- (c) Study the programme and policy objectives of departments and the effectiveness of the implementation;

- (d) Study and review all county legislation referred to it;
- (e) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (f) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- (g) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 208 (Committee on Appointments); and
- (h)** Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.3 Committees' Membership

Mr. Speaker,

The joint Committee on Trade, Energy and Industrialization and Finance and Planning as currently constituted, comprises the following members: -

- | | | | |
|----|-----------------|-----------|----------------------------|
| 1. | Hon. Johnston O | Ipara | Chairperson (Trade) |
| 2. | Hon. James | Mukhongo | Chairperson (Finance) |
| 3. | Hon. John K | Wanyama | Vice chairperson (Trade) |
| 4. | Hon. Orize | Kundu | Vice Chairperson (Finance) |
| 5. | Hon. Stephen | Wamalwa | Member |
| 6. | Hon. Everlynne | Mutiambu | Member |
| 7. | Hon. Meshack | Simiyu | Member |
| 8. | Metrine | Nangalama | Member |

9. Hon. Wafula	Waiti	Member
10. Hon. Kimeta	Polycarp	Member
11. Hon. Bernard	Kikechi	Member
12. Hon. Timothy	Chikati	Member
13. Hon. Alfred	Mukhanya	Member
14. Hon. Christine	Mukhongo	Member
15. Hon. Godfrey	Mukhwana	Member
16. Hon. Jack	Kawa	Member
17. Hon. Francis	Chemion	Member
18. Hon. Alice	Kibaba	Member
19. Hon. Brigid	Katasi	Member
20. Hon. Angeline	Rugut	Member
21. Hon. Sheila	Sifuma	Member
22. Hon. Linda	Kharakha	Member
23. Hon. Aggrey	Bosire	Member
24. Hon. Everton	Nganga	Member
25. Hon. Aggrey	Mulongo	Member
26. Hon. Vitalis	Wangila	Member
27. Hon. Violet	Makhanu	Member
28. Hon. Tony	Barasa	Member
29. Hon. George	Makari	Member
30. Hon. Catherine	Kituyi	Member

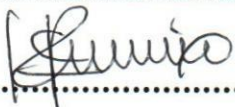
1.4 Acknowledgement

Mr. Speaker Sir,

On behalf of the joint committee on Trade, Energy and Industrialization & Finance and Economic Planning, I wish to extend immense gratitude to the Office of the Speaker and the Clerk for the steadfast support towards success of this report.

I also take this opportunity to acknowledge all the Members of the Committee for their utmost commitment and dedication during processing of the report. Much appreciation also goes to the committee secretariat for their technical and professional input that guided the committee in all aspects of Bill processing.

It is my pleasure and duty to present to this House the Report of the committee on the Bungoma Public Market Amendment Bill, 2023.

SIGNATURE..........DATE.....28/05/2023.....

Hon. Johnstone O Ipara

Chairperson; Sectoral Committee on Trade, Energy and Industrialisation

SIGNATURE..........DATE.....28/05/2023.....

Hon. James Mukhongo

Chairperson; Sectoral Committee on Finance and Economic Planning

CHAPTER TWO

2.1 Background

Mr Speaker Sir,

The County Assembly of Bungoma Standing Order no: 140(1) provides that:

A Bill having been read a First Time shall stand committed to the relevant Committee without question put. The Bungoma County Public Market Amendment Bill, 2023 (No.2) having been sponsored by Hon. James Mukhongo-Chairperson Committee on Finance and Economic Planning was read a first time on 26th April, 2023 and committed to the committee on Finance & Economic Planning and committee on Trade, Energy and Industrialization for consideration.

2.2 Objects and Purpose of the Bill

The Object of the bill is to amend the public Market Act 2017.

2.3 Overview of the Bill

Mr, Speaker Sir,

The Bill has the long title as well as the short title.

It thus gives the key areas where it is to be amended, notably the Schedule and Clause 21.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill neither delegates legislative power nor does it contain provisions limiting fundamental rights and freedoms.

Statement whether the Bill concerns County Governments

This is a Bill concerning county government in terms of 110(1)(a) of the constitution.

Statement on the financial implications of the Bill

The enactment of the Bill shall occasion additional expenditure of public funds to be provided for the estimates.

2.4 Legal Parameters

Mr. Speaker Sir, Article 185 of the constitution provides that the legislative authority of a county which is vested in, and exercised by its County Assembly. The Articles further states Sub-Article 185(2a) that County Assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the county government under the fourth schedule. The Constitution Part 2 paragraph-7 of the Fourth Schedule states- The Functions and power of the County government are-Trade development and regulation, including-

- a) markets
- b) trade licences (excluding regulations of professionals)
- c) fair trading practice
- d) local tourism
- e) co-operative societies

Mr. Speaker Sir,

The amendments allow laws and policies to be refined over time rather than replaced outright. Legislative bodies operate on the premise that laws and policies may be refined over time. The Bungoma County public markets (amendment) bill, 2023 is geared towards operationalization of the Finance bill and it was prudent too that other amendments are made to the parent Act enacted in 2017 by the County Assembly of Bungoma. The Act is current operational.

CHAPTER THREE

3.1 Public participation

Mr. Speaker sir,

Public participation is considered as a crucial pillar in the Kenyan Constitution. It promotes democracy by providing the public an opportunity in decision making in government hence promoting national values and principles of governance. Article 196 (1) (b) of the Constitution of Kenya and section 87 of the County Governments Act, provides for public participation and involvement in the legislative and other business of the Assembly and its committees. Further, Article 174 (c) provides that the object of devolution of governance is to; “give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them.

The Bungoma County Assembly Standing Orders No.140 (1) provides that the Sectoral Committee to which a Bill is Committed shall facilitate public participation on the Bill through an appropriate mechanism, including-

- (a) Inviting submission of memoranda
- (b) Holding public hearings
- (c) Consulting relevant stakeholders in the Sector and;
- (d) Consulting experts on technical subjects

(3) The Sectoral Committee shall take into account the views and recommendations of the public under paragraph (3) in its report to the House.

Mr. Speaker Sir, it's on this basis that when this Bill was introduced to the House by Hon. James Mukhongo, it was committed by the Hon. Speaker to the Committee on Finance and Economic Planning and committee on Trade, Energy and Industrialization on 26th April, 2023 for processing and reporting back to the House.

Further, the office of the Clerk on 9th April through an advert in the Daily Nation, invited the public to submit written memoranda concerning the Bill to the Office of the Clerk via email or hand delivery on or before 17th April 2023 as annexed (**Annex 2**). Further, the Bill was published in the Bungoma County Assembly website and copies of the same availed at the Member County Assembly Offices in various Wards for easy public access (**Annex 1**).

Public Views

By closure of Business on 17th April 2023, no submissions had been forwarded to the office of the Clerk concerning the Bill.

3.2 Public Views

By closure of Business on 17th April 2023, only the Bungoma Hoteliers Association had forwarded their views to the office of the Clerk concerning the Bill. (**Annex III**).

3.2.1 Summary of Public views

Mr Speaker Sir,

The committee received submission duly signed memoranda from the Bungoma Hoteliers Association (BUHA) with the following proposals:

- a) All markets must be WASH compliant.

- b) All markets must have street lights.
- c) The County should have proper drainage and well designated dumpsite to control spillage of garbage on the market.
- d) Charges should be only paid on market well built by the County.
- e) Stop charging businessmen and women who display their wares on the road reserves e.g Lugulu Market, Mihuu Ward Webuye East Constituency.
- f) Charges should be fair and reasonable.
- g) Stop total display of goods and wares on road reserves to avoid accidents on such markets e.g Chwele, Mayanja, Kamukuywa, Kimilili, Misikhu, Lugulu and Dinah junction in Matulo Ward Webuye West Constituency.

CHAPTER FOUR

4.1 CONSIDERATION OF THE BILL

Mr. Speaker Sir,

Having scrutinized the Bungoma County Public Markets Amendment Bill, 2023 the committee proposed the following;

The title reading *Amendment of Section 21 of the Principal Act* be amended by deleting 21 and substituting with 20, so as to read Amendment of Section 20 of the Principal Act.

Justification: To remove typographical errors.

The Clause 2 subsection 2 (a) be deleted.

Justification-Tax holiday needs a lot of backing from the Constitution and other enabling laws.

Schedule- be amended by deleting the fourth column entirely. In the fifth Column, the words proposed charges 2022/23 be deleted, so as to read; Cashless payments.

Justification-The charges are subject to revision.

CHAPTER FIVE

5.1 COMMITTEE OBSERVATIONS

Mr. Speaker sir,

The committee observed that:

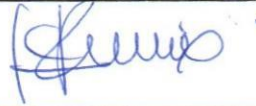




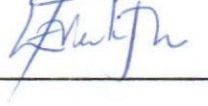
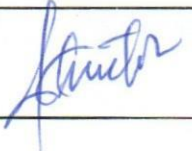


1. The bill was well drafted as per the standards of bill drafting.
2. The bill will actualize the future finance bills and legalize the fees and charges in public markets.








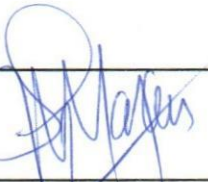
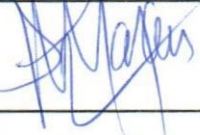





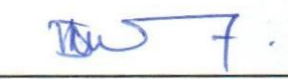

5.2 COMMITTEE RECOMMENDATION

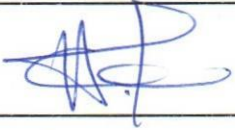
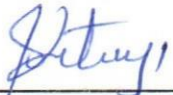
1. The bill need to move to the next stage with amendments.

Adoption Schedule

We the undersigned Members of the joint committee on Trade, Energy and Industrialization & Finance and Economic Planning affix our signatures adopting this report with the contents therein.

	MEMBER'S NAME	DESIGNATION	COMMITTEE	SIGN
1.	Hon. Johnston O Ipara	Chairperson	Trade, Energy and Industrialization	
2.	Hon. James Mukhongo	Chairperson	Finance and economic Planning	
3.	Hon. Orize Kundu	Vice Chairperson	Finance and economic Planning	
4.	Hon. John Kennedy Wanyama	Vice Chairperson	Trade, Energy and Industrialization	
5.	Hon. Stephen Wamalwa	Member	Finance and economic Planning	
6.	Hon. Everlyne Mutiambu	Member	Finance and economic Planning	
7.	Hon. Meshack Simiyu	Member	Trade, Energy and Industrialization	
8.	Hon. Metrine Nangalama	Member	Trade, Energy and Industrialization	MN
9.	Hon. Wafula Waiti	Member	Trade, Energy and Industrialization	
10.	Hon. Kimeta Polycarp	Member	Trade, Energy and Industrialization	
11.	Hon. Benard Kikechi	Member	Trade, Energy and Industrialization	
12.	Hon. Brigid Katasi	Member	Trade, Energy and Industrialization	

13.	Hon. Alice Kibaba	Member	Trade, Energy and Industrialization	
14.	Hon. Alfred Mukhanya	Member	Trade, Energy and Industrialization	
15.	Hon. Sheila Sifuma	Member	Trade, Energy and Industrialization	
16.	Hon. Linda Kharakha	Member	Trade, Energy and Industrialization	
17.	Hon. Angeline Rugut	Member	Trade, Energy and Industrialization	
18.	Hon. Timothy Chikati	Member	Trade, Energy and Industrialization	
19.	Hon. Aggrey Bosire	Member	Trade, Energy and Industrialization	
20.	Hon. Vitalis Wangila	Member	Finance and economic Planning	
21.	Hon. George Makari	Member	Finance and economic Planning	
22.	Hon. Francis Chemion	Member	Finance and economic Planning	
23.	Hon. Everton Nganga	Member	Finance and economic Planning	
24.	Hon. Aggrey Mulongo	Member	Finance and economic Planning	
25.	Hon. Tony Barasa	Member	Finance and economic Planning	
26.	Hon. Violet Makhanu	Member	Finance and economic Planning	
27.	Hon. Jack Kawa	Member	Finance and economic Planning	
28.	Hon. Godfrey Wanyama	Member	Finance and economic Planning	

			Planning	
29	Hon. Christine Mukhongo	Member	Finance and economic Planning	
30	Hon. Catherine Kituyi	Member	Finance and economic Planning	

ANNEXURES

1. A copy of the Bungoma County Public Market Amendment Bill, 2023.
2. Advert for invitation of Memoranda
3. Views of the public.
4. Adoption of report writing Minutes.

SPECIAL ISSUE

Kenya Gazette Supplement No. 3 (Bungoma County Bills No. 2)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

BUNGOMA COUNTY BILLS, 2023

NAIROBI, 11th April, 2023

CONTENT

Bill for Introduction into the County Assembly of Bungoma—	PAGE
The Bungoma County Public Markets (Amendment) Bill, 2023	1

**THE BUNGOMA COUNTY PUBLIC MARKETS (AMENDMENT)
BILL, 2023**

A Bill for

**AN ACT of the County Assembly of Bungoma to amend the Bungoma
County Public Markets Act, 2017 and for connected purposes**

ENACTED by the County Assembly Bungoma, as follows —

Short title

1. This Act may be cited as the Bungoma County Public Markets (Amendment) Act, 2023 and shall come into force upon publication in the *Gazette*.

Amendment of Section 21 of the principal Act

2. Section 21 of the principal Act is amended in subsection (2) —

(a) by deleting paragraph (3) and substituting therefor the following new paragraph—

(3) There shall be a two days' tax holiday to resident registered traders on county markets in accordance to Section 159 (1) of the Public Finance Management Act, 2012 and Article 210 of the Constitution of Kenya, 2010.

(4) The County Executive Committee Member for Finance and Economic Planning in consultation with the County Executive Committee Member responsible for Trade shall issue regulation on implementation of this tax holiday.

(b) the Bungoma County Public Markets Act, 2017 is amended by inserting the following schedule —

COUNTY MARKET FEES

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
1-7008	Fruits	Below 1 crate/carton	25	125	450	20	100	360
		Per crate/carton	40	200	720	30	150	540
		Up to 50 Kg	40	200	720	30	150	540
		Above 50kg Bag	50	250	900	40	200	720
		per wheelbarrow	40	200	720	30	150	540
		per net	25	125	450	20	100	360

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	Market Services							
		per pick up 1 tonne	240	1,200	4,320	200	1,000	3,600
		per handcart/tuktuk	80	400	1,440	60	300	1,080
		Canter less than 3 tonnes	480	2,400	8,640	400	2,000	7,200
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	1,200	6,000	21,600	1,000	5,000	18,000
		Lorry above 10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		per trailer	4,000	20,000	72,000	3,500	17,500	63,000
1-7009	Vegetables	Below 1 crate/carton	25	125	450	20	100	360
		per crate	40	200	720	30	150	540
		Up to 50 Kg	40	200	720	30	150	540
		Above 50kg bag	50	250	900	40	200	720
		per wheelbarrow	40	200	720	30	150	540
		Pick up	240	1,200	4,320	200	1,000	3,600
		Canter 3-6 tonnes	480	2,400	8,640	400	2,000	7,200
		Lorry 7-10 tonnes	1,200	6,000	21,600	1,000	5,000	18,000
		Lorry above 10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		per trailer	2,400	12,000	43,200	2,000	10,000	36,000
		Per handcart/tuktuk	80	400	1,440	60	300	1,080
1-7010	Cereals/legumes	Below 50 kg	25	125	450	20	100	360
		50 Kg	40	200	720	30	150	540
		Above 50kg bag	50	250	900	40	200	720
		per debe	30	150	540	20	100	360
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000
		Lorry above 10 tonnes	4,000	20,000	72,000	3,500	17,500	63,000
		per pick up	320	1,600	5,760	300	1,500	5,400
		per handcart/tuktuk	80	400	1,440	60	300	1,080

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	Market Services							
		per trailer	5,600	28,000	100,800	5,600	28,000	100,800
1-7011	Potatoes/yams/cassava/carrots	per bag (over 50Kgs)	50	250	900	40	200	720
		Less than 50 Kg	25	125	450	20	100	360
		per debe	30	150	540	20	100	360
		Canter up to 2 tonnes	480	2,400	8,640	400	2,000	7,200
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	1,200	6,000	21,600	1,000	5,000	18,000
		Lorry above 10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000
		Per pick up	240	1,200	4,320	200	1,000	3,600
		per handcart/tuktuk	80	400	1,440	60	300	1,080
		per trailer	4,000	20,000	72,000	3,500	17,500	63,000
	- Life	Per Large stand	80	400	1,440	60	300	1,080
		Per Net	25	125	450	20	100	360
	- Dressed	Per tray	10	50	180	10	50	180
1-7012	Eggs	Per tray	25	125	450	20	100	360
1-7013	Sugarcan	Canter 3-6 tonnes	400	2,000	7,200	350	1,750	6,300
		Lorry 7-10 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry above 10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		per pick up	240	1,200	4,320	200	1,000	3,600
		per handcart/tuktuk	80	400	1,440	60	300	1,080
		per trailer	4,000	20,000	72,000	3,500	17,500	63,000
		Per bunch	15	75	270	20	100	360
1-7014	Bananas	per wheelbarrow	40	200	720	30	150	540
		per pick up	240	1,200	4,320	200	1,000	3,600
		per handcart/tuktuk	80	400	1,440	60	300	1,080
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	Market Services	Lorry above 10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000
		per trailer	4,000	20,000	72,000	3,500	17,500	63,000
1-7015	Pumpkin/water melon	per wheelbarrow	40	200	720	30	150	540
		per pick up	400	2,000	7,200	400	2,000	7,200
		per handcart/tuktuk	160	800	2,880	160	800	2,880
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		Lorry above 10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000
		per trailer	4,000	20,000	72,000	3,500	17,500	63,000
		Large crate	50	250	900	40	200	720
1-7016	Tomatoes/Pawpaw	Medium crate	40	200	720	30	150	540
		Small crate	30	150	540	20	100	360
		Per bag (50kg)	80	400	1,440	60	300	1,080
1-7017	Onions	Per small net	30	150	540	20	100	360
		Per large net	40	200	720	30	150	540
		Per bag	30	150	540	20	100	360
1-7018	Charcoal	Per debe	25	125	450	20	100	360
		Per pick up	240	1,200	4,320	200	1,000	3,600
		Per handcart	80	400	1,440	60	300	1,080
		Per Canter 3-6 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		Per Lorry 7-10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000
		Per Lorry above 10 tonnes	4,000	20,000	72,000	3,500	17,500	63,000
		per trailer	8,000	40,000	144,000	8,000	40,000	144,000
		per box	40	200	720	30	150	540
1-7019	Juggery (sukari nguru)	per bag	80	400	1,440	60	300	1,080
		Canter 3-6 tonnes	800	4,000	14,400	600	3,000	10,800
		Lorry 7-10 tonnes	1,600	8,000	28,800	1,500	7,500	27,000
		Lorry above 10 tonnes	2,400	12,000	43,200	2,000	10,000	36,000

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	Market Services							
		per basket Large	160	800	2,880	150	750	2,700
C1-7020	Dried or fresh fish (Whole Sale)	Medium	120	600	2,160	60	300	1,080
		Small	80	400	1,440	30	150	540
		per basket Large	65	325	1,170	60	300	1,080
	Dried or fresh fish (Retail)	Medium	50	250	900	40	200	720
		Small	40	200	720	30	150	540
		per bag	80	400	1,440	60	300	1,080
1-7021	Omena	less than a bag	50	250	900	40	200	720
		per bucket	40	200	720	30	150	540
1-7022	Honey	10 litres or less	40	200	720	30	150	540
1-7023	Ropes	Bundles	40	200	720	30	150	540
1-7024	Clay Pots	Each	15	75	270	15	75	270
1-7025	Mats	Bunch	15	75	270	15	75	270
1-7030	Flowers	Bunch	25	125	450	20	100	360
1-7031	Wood carvings/ utensils	Each	15	75	270	15	75	270
1-7032	Earth/stone carvings	per bag (50kg)	80	400	1,440	60	300	1,080
1-7033	Tobacco	bundle of 10 bags/ Or less	30	150	540	20	100	360
1-7034	Empty gunny bags	3 bundles	160	800	2,880	150	750	2,700
1-7035	Storage of farm produce in the market	per bag	25	125	450	20	100	360
1-7036	Baskets	3 mats	160	800	2,880	150	750	2,700
1-7037	Charcoal	Per sack	160	800	2,880	30	150	540
1-7038	Mats	per bale	80	400	1,440	60	300	1,080
1-7039	Goods confiscated in the market (retail)	2 square metre	40	200	720	60	300	1,080
1-7040	Hardware, clothing and	2 square metre	400	2,000	7,200	100	500	1,800

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	stationary (Retail)							
	Clothes (Whole Sale)	Bale	160	800	2,880	150	750	2,700
		2 square metre	25	125	450	30	150	540
1-7041	Open air retailers without structures	per day	25	125	450	20	100	360
1-7042	Open air retailers with wooden structures	Per Day	30	150	540	20	100	360
1-7043	Open air retailers with metal structures	Per Day	40	200	720	30	150	540
1-7044	Watch, Shoe Shine/Repair, Motorbike, Bicycle Repair	Per Day	25	125	450	20	100	360
1-7045	Hawkers	Tuktuk	40	200	720	30	150	540
1-7046	Empty Vehicles Entering the Market	Handcart	15	75	270	20	100	360
		Pick-Ups	80	400	1,440	60	300	1,080
		Canter 3-6 tonnes	160	800	2,880	100	500	1,800
		7-10 tonnes	240	1,200	4,320	200	1,000	3,600
		Over 10 tonnes	800	4,000	14,400	600	3,000	10,800
		Trailers	1,600	8,000	28,800	1,500	7,500	27,000
1-7047	Market exit of goods fee	Per one unit	30	150	540	20	100	360
1-7048	Open air retail and displays along main	Per day	New	New	New	200	1,000	3,600

Item	Description of Fee or Charge on Service	Unit of Measure	Approved Charges 2021/22: Cashless Payments			Proposed Charges 2022/23: Cashless Payments		
			Daily	Weekly (By Monday)	Monthly (Before 10th)	Daily	Weekly (By Monday)	Monthly (Before 10th)
	Market Services							
	streets in Bungoma Town							

Penalty on Failure to Display a Receipt on Request after 12 noon for a Market Day				
Item	Description of fee or Charge on Service	Unit of Measure	Approved Charges 2021/22:	Proposed Charges 2022/23:
1-7050	Fruits, Fish, Cereals, Vegetables and Other Food Stuff	Per Instance	240	240
1-7051	Second hand clothes	Per Instance	240	240
1-7052	Cooking utensils	Per Instance	160	160
1-7053	Trolleys	Per Instance	80	80
1-7054	Wheelbarrows	Per Instance	160	160
1-7055	Handcarts	Per Instance	240	240
1-7056	Open air retailers/food vendors without structures	Per Instance	80	80
1-7057	Open air retailers/food vendors with wooden structures	Per Instance	120	120
1-7058	Open air retailers/food vendors with metal structures	Per Instance	160	160
1-7059	Watch, Shoe Shine/Repair, Motorbike, Bicycle Repair	Per Instance	160	160

MEMORANDUM OF OBJECTS AND REASONS

The principal objective of this Bill is to amend the Bungoma County Public Markets Act, 2017 to introduce a Schedule providing for fee and charges.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill neither delegates legislative power nor does it contain provisions limiting fundamental rights and freedoms.

Statement whether the Bill concerns County Governments

This is a Bill concerning county government in terms of Article 110(1)(a) of the constitution.

Statement on the financial implications of the Bill

The enactment of the Bill shall occasion additional expenditure of public funds to be provided for the estimates.

JAMES MUKHONGO,
*Chairperson, Finance and
Economic Planning Committee.*



COUNTY ASSEMBLY OF BUNGOMA

P.O BOX 1886-50200, BUNGOMA, Kenya. Telephone: 055-2030854/020-2030309,
Email: bungomacountyassembly@gmail.com

INVITATION FOR SUBMISSION OF MEMORANDA ON BILLS UNDER CONSIDERATION.

The under-listed Bills have been tabled in the County Assembly and committed to various committees.

1. The Bungoma County Inspectorate ,Compliance and Enforcement Bill,2023
2. The Bungoma County Public Markets (Amendment) Bill,2023
3. The Bungoma County Weights and Measures Bill,2023
4. The Bungoma County Cooperative Societies Bill, 2023
5. The Bungoma County Public Entertainment and Amenities Bill,2023
6. The Bungoma County Outdoor Advertising and Signage Control and Regulation Bill,2023
7. The Bungoma County Revenue Administration and Management (Amendment) Bill, 2023

Article 196(1) (b) of the Constitution of Kenya, and Section 87 of the County Governments Act, provides for Public participation and involvement in the legislative and other business of the Assembly and its Committees.

In compliance with the above laws, the Committee invites members of the Public to submit written representations they may have on the aforementioned document. The Bills can be accessed from the County Assembly website at <http://www.bungomaassembly.go.ke>. Hard copies of the Bills are available at the Member of County Assembly Offices in the various wards.

The representations may be forwarded to Clerk of the County Assembly, P.O Box 1886-50200 Bungoma; hand-delivered to the office of the Clerk, Main County Assembly building or emailed to info@bungomaassembly.go.ke; to be received on or before 17th May 2023.

CHARLES W. WAFULA,
CLERK OF THE COUNTY ASSEMBLY,
COUNTY GOVERNMENT OF BUNGOMA.



COUNTY ASSEMBLY OF BUNGOMA
 CLERK
 16 MAY 2023
 REC'D

Handwritten: P.C. J. N. 17/5/23

DATE: 16th May 2023

TO:

HON CHARLES W. WAFULA,
 CLERK OF THE COUNTY ASSEMBLY OF BUNGOMA.
 P.O BOX 1886-50200,
 BUNGOMA

BUNGOMA HOTELIERS ASSOCIATION
 (BUHA)
 P.O Box 1536-50200 BUNGOMA
 TEL: 0720337730

Handwritten: Forward this to respective committees handling bills. 17/5/23

Dear Sir,

REF: INVITATION FOR SUBMISSION OF MEMORANDA ON BILLS UNDER CONSIDERATION

On behalf of Bungoma Hoteliers Association, we do offer to give our Memoranda on the below mentioned bills.

1. Bungoma County Inspectorate, compliance and enforcement Bill 2023.
 It is our Prayer and wish that our Inspectorate Department, Compliance and enforcement officers.
 - a) Are well trained to handle Bungoma business communities with decorum.
 - b) Have good Public relations etiquette
 - c) Be well presentable and responsible.
 - d) Avoid using force in their discharge of duties
 - e) They should be well guided and be focused while serving Bungoma residents.
 - f) Let them not be used during political rallies and political duties.

Handwritten: P.C. 17/5/23

2. County Public Market (Amendment Bill 2023)
 - a) All markets must be WASH compliant.
 - b) All markets must have street lights.
 - c) The County should have proper drainage and well designated dumpsite to control spillage of garbage on the market
 - d) Charges should be only paid on markets well built by the County.
 - e) Stop charging businessmen and women who display their wares on the road reserves e.g. Lugulu Market, Mihuu Ward Webuye East Constituency.
 - f) Charges should be fair and reasonable.
 - g) Stop total display of goods and wares on road reserves to avoid accidents on such markets e.g. Chwele, Mayanja, Kamukuywa, Kimifili, Misikhu, Lugulu and Dinah Junction in Matulo Ward Webuye West Constituency.

5. The Bungoma County Public Entertainment and Amenities Bill 2023

All Public Entertainment amenities must have the following

- a) Soundproof
- b) Well ventilated
- c) Have a well functioning firefighting equipment
- d) Have more access areas and doors in case of emergency and evacuation.
- e) They must be WASH Compliant

6. The Bungoma County Outdoor Advertising and Signage Control and Regulation Bill 2023.

- a) Allow any organization that has paid a single permit license to put up their signage
- b) Control out door advertisement billboards and Signage near Road Junctions so that motorists can get a clear view.
- c) Charge those that are used for commercial advertisement agency higher than the normal ones.
- d) All billboards and signage must have responsible messages and pictures that has no adverse effects to our children.

7. The Bungoma County Revenue Administration and Management (Amendment) Bill 2023

- a) County government revenue department should have a well-defined checklist for any organization as per charges
- b) Hotel owners should be shown the criteria used by the County Government of Bungoma as pertained Single Business License Charges. Most hotels feel disadvantaged with exorbitant rates charged
- c) We need to classify and have synchronized charges in the entire County.
- d) Stop taxing Hotels liquor license fee. This is double taxation. Counties like Nyandarua charge only Single Business Permit.
- e) Make all revenue payment cashless.
- f) Reduce Single Business License fee to Hotel Owners. it is very high.
- g) Let license fee paid run within a 12 Months cycle.
- h) Create more avenue for revenue collection such as the following:
Build packing sites for lorries on Transit in Webuye Town, Bukembe Town, Kanduyi Town.
- i) County Government should buy 5 Ha of land on every town and develop the area so that Kshs 500 can be charged per Night per lorry as packing fee. This will generate more revenue to the County Government of Bungoma.
- j) Buy Land at the following sites: Nabuyole Falls, Daraja ya Mungu, Teremi Falls, Malakis Falls, Sikele sha Mulia and build these sites as tourist and picnic sites. This will involve as building walls, providing security, making these facilities WASH compliant. Having street lights on this sites. This will definitely increase revenue through entrance by those visiting these areas.
- k) We need to increase revenue but not through overtaxing the business communities.

5. The Bungoma County Public Entertainment and Amenities Bill 2023

All Public Entertainment amenities must have the following

- a) Soundproof
- b) Well ventilated
- c) Have a well functioning firefighting equipment
- d) Have more access areas and doors in case of emergency and evacuation.
- e) They must be WASH Compliant

6. The Bungoma County Outdoor Advertising and Signage Control and Regulation Bill 2023.

- a) Allow any organization that has paid a single permit license to put up their signage
- b) Control out door advertisement billboards and Signage near Road Junctions so that motorists can get a clear view.
- c) Charge those that are used for commercial advertisement agency higher than the normal ones.
- d) All billboards and signage must have responsible messages and pictures that has no adverse effects to our children.

7. The Bungoma County Revenue Administration and Management (Amendment) Bill 2023

- a) County government revenue department should have a well-defined checklist for any organization as per charges
- b) Hotel owners should be shown the criteria used by the County Government of Bungoma as pertained Single Business License Charges. Most hotels feel disadvantaged with exorbitant rates charged
- c) We need to classify and have synchronized charges in the entire County.
- d) Stop taxing Hotels liquor license fee. This is double taxation. Counties like Nyandarua charge only Single Business Permit.
- e) Make all revenue payment cashless.
- f) Reduce Single Business License Fee to Hotel Owners, it is very high.
- g) Let license fee paid run within a 12 Months cycle.
- h) Create more avenue for revenue collection such as the following:
Build packing sites for lorries on Transit in Webuye Town, Bukembe Town, Kanduyi Town.
- i) County Government should buy 5 Ha of land on every town and develop the area so that Kshs 500 can be charged per Night per lorry as packing fee. This will generate more revenue to the County Government of Bungoma.
- j) Buy Land at the following sites: Nabuyole Falls, Daraja ya Mungu, Teremi Falls, Malakis Falls, Sikele sha Mulia and build these sites as tourist and picnic sites. This will involve as building walls, providing security, making these facilities WASH compliant. Having street lights on this sites. This will definitely increase revenue through entrance by those visiting these areas.
- k) We need to increase revenue but not through overtaxing the business communities.

**MINUTES OF THE TRADE, ENERGY AND INDUSTRIALIZATION
COMMITTEE MEETING HELD ON 28TH JUNE, 2023 AT DIVINE HOMES
HOTEL**

MEMBERS PRESENT:

1.	Hon. Johnston O	Ipara	Chairperson (Trade)
2.	Hon. James	Mukhongo	Chairperson (Finance)
3.	Hon. John K	Wanyama	Vice chairperson (Trade)
4.	Hon. Orize	Kundu	Vice Chairperson (Finance)
5.	Hon. Stephen	Wamalwa	Member
6.	Hon. Everlynne	Mutiambu	Member
7.	Metrine	Nangalama	Member
8.	Hon. Wafula	Waiti	Member
9.	Hon. Bernard	Kikechi	Member
10.	Hon. Timothy	Chikati	Member
11.	Hon. Alfred	Mukhanya	Member
12.	Hon. Christine	Mukhongo	Member
13.	Hon. Godfrey	Mukhwana	Member
14.	Hon. Jack	Kawa	Member
15.	Hon. Francis	Chemion	Member
16.	Hon. Alice	Kibaba	Member
17.	Hon. Brigid	Katasi	Member
18.	Hon. Angeline	Rugut	Member
19.	Hon. Sheila	Sifuma	Member
20.	Hon. Linda	Kharakha	Member
21.	Hon. Aggrey	Bosire	Member
22.	Hon. Everton	Nganga	Member

23. Hon. Aggrey	Mulongo	Member
24. Hon. Vitalis	Wangila	Member
25. Hon. Violet	Makhanu	Member
26. Hon. Tony	Barasa	Member
27. Hon. George	Makari	Member
28. Hon. Catherine	Kituyi	Member

SECRETARIAT

1. Leonard	Momos	DCL
2. Joktan	Kabeyi	Committee Clerk-Finance
3. Millicent	Bosire	Committee Clerk- Trade
4. Edward	Musumba	Legal Clerk
5. Celestine	Moshong	Legal Counsel
6. Lucy	Imenje	S.S.A.A
7. John	Muchungi	Hansard Technician

AGENDA

1. Preliminaries
 - i) Prayer
 - ii) Adoption of the agenda
 - iii) Communication from the chair
2. Consideration of the Bungoma County Public Market Amendment Bill, 2023.

MIN TEI: 01/28/05/2023- PRELIMINARIES

i. Prayer

The meeting was called to order at 1145 hrs and a prayer said by **Hon. John Wanyama**.

ii. Adoption of the agenda

The day's agenda was adopted for discussion without amendments upon proposal by **Hon. Alice Kibaba** and seconded by **Hon. Timothy Chikati**.

iii. Communication from the chair

The chairperson welcomed the Hon. Members and thanked them for keeping time.

MIN TEL: 02/28/05/2023- CONSIDERATION OF THE BUNGOMA PUBLIC MARKET AMENDMENT BILL,2023.

Hon. Members were taken through the Bungoma County Public Market Amendment Bill,2023 clause by Clause. After proper scrutiny of the Bill, some clauses were agreed to without amendments as others were amended and justification provided as outlined below.

That the Clause reading 21 should be deleted in entirety and the previous provision to remain.

Justification-Tax holiday needs a lot of backing from the Constitution and other enabling laws.

Schedule- be amended by deleting column one in entirety. In the second Column, the words proposed charges 2022/23 be deleted, so as to read; Cashless payments.

The following were the committee's observations:

1. The bill was well drafted as per the standards of bill drafting.
2. The bill will actualize the future finance bills and legalize the fees and charges in public markets.

The committee recommended that the Bill to move to the next stage with the amendments made on it.

The committee unanimously adopted the Bill with amendments.

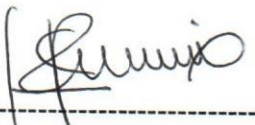
ADJOURNMENT

There being no other business the meeting ended at 5:00 P.M hrs.

CONFIRMATION

HON. JOHNSTON IPARA

CHAIRPERSON

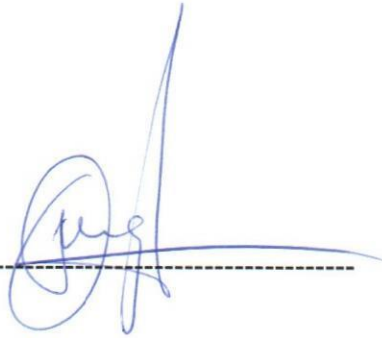
DATE-----SIGN-----


JOKTAN KABEYI

COMMITTEE CLERK

DATE 28/05/2023

SIGN



MILLICENT BOSIRE

COMMITTEE CLERK

DATE 28/05/2023

SIGN



THE BUNGOMA COUNTY PUBLIC MARKETS ACT, 2017

ARRANGEMENT OF SECTIONS

SECTION

- 1-Short title.
- 2-Interpretation.
- 3- Operation of a public market and payment of fees.
- 4- Market master.
- 5- Hours of business in public markets.
- 6- No engaging in unauthorized trade or business.
- 7- Remaining in a market when closed.
- 8- Fires or cooking in public markets.
- 9- Cleaning of vegetables and other produce.
- 10- Persons not to be engaged or handle foodstuff in public markets.
- 11- Sale of diseased or contaminated food.
- 12- Exhibition of food, etc in unauthorized places.
- 13- Sale of livestock and live poultry.
- 14- Market stalls.
- 15- Obligations of stallholders.
- 16- Failure to comply or obey instructions.
- 17- Zoning of public markets.
- 18- Entry into public markets.
- 19- Offences.
- 20- Fees and charges.
- 21- Offences and penalty.
- 22- Regulations.

**SCHEDULE— PUBLIC MARKETS FEES AND CHARGES
THE BUNGOMA COUNTY PUBLIC MARKETS ACT, 2017**

AN ACT of the Bungoma County Assembly to provide for the regulation of trade and business in public markets; to provide for various market fees and charges, and for connected purposes

ENACTED by the Bungoma County Assembly, as follows—

PRELIMINARY

- Short title. **1.** This Act may be cited as the Bungoma County Public Markets Act, 2017.
- Interpretation. **2.** In this Act, unless the context otherwise requires—
“County” means the Bungoma County;
“County Government” means the County Government of Bungoma;
“county executive committee member” means the county executive committee member for the time being responsible for matters relating to trade;
“market master” means the person appointed in writing by the County to control and supervise the public market or Public markets specified in such appointment;
“poultry” means, chicken, fowls, ducks, geese, turkeys and guinea fowls; and
“public market” means a place or center designated as such by the County for exchange of goods and services.
- Operation of a public market and payment of fees. **3.** A public market shall not be operated within the area of jurisdiction of the County otherwise than by the County, and a person shall not sell or buy goods in or use a public market except with consent of the County given by the market master and upon payment of the fees specified in the Schedule.
- Market master. **4.** All public markets shall be under the control of the County Government which shall appoint a market master and such other persons as may be necessary for effective control and supervision of the markets.
- Hours of business in public markets. **5.** Public markets shall be open on such days and during such hours as the County shall, from time to time, determine for the sale of the following goods—
(a) perishable foodstuffs;
(b) live poultry;
(c) livestock;
(d) locally manufactured earthenware, basketwork, mats, woodwork, metal work and other locally made products;
(e) such other goods as may from time to time be designated by the County.

- No engaging in unauthorized trade or business.
Remaining in a market when closed.
- 6.** A person shall not carry on or engage in any trade or business in any public market except such as the County may allow.
- 7.** A person, other than an authorized officer, shall not remain in a public market during the hours in which it is closed.
- Fires or cooking in public markets.
- 8.** No fire or cooking shall be allowed in a public market, unless in designated and protected areas.
- Cleaning of vegetables and other produce.
- 9.** A person who cleans vegetables or other produce in a public market anywhere except in such basins, sinks or other receptacles as provided by the County for such purpose commits an offence.
- Persons not to be engaged or handle foodstuff in public markets.
Sale of diseased or contaminated food.
- 10.** A person suffering from any infectious or contagious disease, as may be determined by a medical practitioner, shall not be engaged or handle any foodstuff in any public market.
- 11.** (1) Any person who sells or offers or exposes for sale in a public market any article of food which is diseased, contaminated or otherwise unfit for human consumption commits an offence.
(2) The market master shall take possession of and detain any food which is offered or exposed for sale in public market which is diseased, contaminated or otherwise unfit for human consumption and shall forthwith report and hand over such food to a health inspector appointed under the Public Health Act.
(3) No compensation shall be payable by the County in respect of any food which is detained in accordance with subsection (2).
- Cap. 242.
- 12.** No food, produce, article or other thing shall be exhibited for sale on the pathways or over any drain within a public market and no box, basket or other container shall be left in or upon any such unauthorized place.
- Exhibition of food, etc in unauthorized places.
Sale of livestock and live poultry.
- 13.** Livestock and live poultry may be brought into a public market for sale.
- Market stalls.
- 14.** (1) In any public market where stalls have been provided, each stall shall be numbered and the County may let or hire out or lease such stalls upon such conditions as it may determine.
(2) A stall shall not be used for carrying on two or more different classes of business at any time or under the same license.
(3) A stall holder shall not sublet his or her stall or any part thereof without prior written consent of the County.
- Obligations of stallholders.
- 15.** Every stallholder shall—
(a) keep his or her stall and all fittings and utensils therein or thereon thoroughly clean and in good order to the

-
- satisfaction of the market master;
- (b) when selling by weight or measure, use the prescribed standard weights and measures and provide and maintain proper weights and scales;
 - (c) dispose of all refuse, sweepings, garbage, offal and waste, liquid or solids, from his or her stall into the receptacles, channels or drains as are provided for that purpose.
- 16.** Every person in a public market who fails or refuses to comply with and obey all lawful instructions, directions and orders given by the market master for the purpose of controlling or supervision of the market commits an offence.
- 17.** The County may set aside, or allocate or provide parts of a public market for the sale therein of only such food, produce, article or thing as it may specify, and no such food, produce, article or thing shall be sold or displayed in any other part of a public market except in the parts so allocated.
- 18.** Any person entering or attempting to enter any public market for the purpose of selling or offering for sale any food, produce, article or other thing shall enter only through the designated entrance.
- 19.** A person who, in a public market—
- (a) causes nuisance;
 - (b) hawks goods without a license;
 - (c) interferes with or molests any other person;
 - (d) creates any disturbance or uses any offensive, obscene or unbecoming language;
 - (e) damages, defaces, misuses, or interferes with any part of the market or any equipment, fittings or fixtures provided therein; or
 - (f) deposits or throws on the floor or ground, any refuse, fruit peel or vegetable substance, commits an offence.
- 20.** (1) The fees and charges payable in respect of public markets shall be as set out in the Schedule.
(2) The fees and charges payable shall displayed at every public market.
(3) The county executive committee member may waive payment of any of the fees or charges stipulated in the Schedule.
- 21.** A person who contravenes any of the provisions of this Act commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or both.
- 22.** (1) The county executive committee member may make regulations generally for the better carrying into effect the provisions of this Act.
(2) Without prejudice to the generality of the foregoing,
- Failure to comply or obey instructions.
- Zoning of public markets.
- Entry into public markets.
- Offences.
- Fees and charges.
- Offences and penalty.
- Regulations.

regulations made under this section may provide for—

- (a) market hours;
- (b) powers and functions of market masters;
- (c) officers authorized to remain in a public market during the hours it is closed;
- (d) acts that constitutes nuisance.

SCHEDULE

(s. 20)

PUBLIC MARKETS FEES AND CHARGES

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
MARKET ENTRY FEE			
1-7008	Fruits	Below 1 crate/carton	20
		Per crate/carton	40
		Up To 50 Kg	40
		Above 50kg Bag	60
		per wheelbarrow	40
		per net	30
		per pick up 1 tonne	300
		per handcart/ tuktuk	100
		Canter less than 3 tonnes	600
		Canter 3-6 tonnes	1,000
		Lorry 7-10 tonnes	1,500
		Lorry above 10 tonnes	2,000
		per trailer	5,000
1-7009	Vegetables	Below 1 crate/carton	20
		per crate	40
		Up to 50 Kg	40
		Above 50kg bag	60
		per wheelbarrow	40
		Pick up	300
		Canter 3-6 tonnes	600

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
	MARKET ENTRY FEE		
	Lorry 7-10 tonnes		1,500
	Lorry above 10 tonnes		2,000
	per trailer		3,000
	Per handcart/ tuktuk		100
1-7010	Cereals/legumes		
	Below 50 kg		20
	50 Kg		40
	Above 50kg bag		60
	per debe		30
	Canter 3-6 tonnes		1,000
	Lorry 7-10 tonnes		3,000
	Lorry above 10 tonnes		5,000
	per pick up		400
	per handcart/ tuktuk		100
	per trailer		7,000
1-7011	Potatoes/yams/cassava/carrots		
	per bag (over 50Kgs)		60
	Less than 50 Kg		20
	per debe		30
	Canter up to 2 tonnes		600
	Canter 3-6 tonnes		1,000
	Lorry 7-10 tonnes		1,500
	Lorry above 10 tonnes		3,000
	per pick up		300

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
	MARKET ENTRY FEE		
		per handcart/ tuktuk	100
		per trailer	5,000
1-7012	Poultry	per bird	5
	- Life	per stand	100
	- Dressed	per tray	10
1-7013	Eggs	per bundle of 10 pieces	20
1-7014	Sugarcane	Canter 3-6 tonnes	500
		Lorry 7-10 tonnes	1,000
		Lorry above 10 tonnes	2,000
		per pick up	300
		per handcart/tuktuk	100
		per trailer	5,000
		Per stem	20
1-7015	Bananas	per wheelbarrow	40
		per pick up	300
		per handcart/tuktuk	100
		Canter 3-6 tonnes	1,000
		Lorry 7-10 tonnes	2,000
		Lorry above 10 tonnes	3,000
		per trailer	5,000

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
		Each	5
1-7016	Pumpkin/water melon	per wheelbarrow	50
		per pick up	500
		per handcart/tuktuk	200
		Canter 3-6 tonnes	1,000
		Lorry 7-10 tonnes	2,000
		Lorry above 10 tonnes	3,000
		per trailer	5,000
		Large crate	60
1-7017	Tomatoes/Pawpaw	Medium crate	40
		Small crate	30
		Per bag (50kg)	100
1-7018	Onions	Per small net	30
		Per large net	40
		Per bag	30
1-7022	Charcoal	Per debe	20
		Per pick up	300
		Per handcart	100
		Per Canter 3-6 tonnes	2,000
		Per Lorry 7-10 tonnes	3,000
		Per Lorry above 10 tonnes	5,000

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
	MARKET ENTRY FEE		
		per trailer	10,000
		per box	50
1-7023	Juggery (sukari nguru)	per bag	100
		Canter 3-6 tonnes	1,000
		Lorry 7-10 tonnes	2,000
		Lorry above 10 tonnes	3,000
		per basket Large	200
1-7024	Dried or fresh fish (Whole Sale)	Medium	150
		Small	100
		per basket Large	80
	Dried or fresh fish (Retail)	Medium	60
		Small	40
		per bag	100
1-7025	Omena	less than a bag	60
		per bucket	50
1-7026	Honey	bundle or less	40
1-7027	Ropes	Each	20
1-7028	Clay Pots	Each	20
1-7029	Mats	Bunch	20
1-7030	Flowers	Each	20
1-7031	Wood carvings/utensils	Each	20
1-7032	Earth/stone carvings	per bag (50kg)	100

The Bungoma County Public Markets Act, 2017

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
MARKET ENTRY FEE			
1-7033	Tobacco	bundle of 10 bags/ Or less	40
1-7034	Empty gunny bags	3 bundles	200
1-7035	Storage of farm produce in the market	per bag	20
1-7036	Baskets	3 mats	200
1-7037	Charcoal	per day	200
1-7038	Mats	per bale	100
1-7039	Goods confiscated in the market (retail)	2 square metre	50
1-7040	Hardware, clothing and stationary (Retail)	2 square metre	500
	Clothes (Whole Sale)	Bale	200
		2 square metre	20
1-7041	Open air retailers without structures	per day	80
1-7042	Open air retailers with structures	Per Day	30
	Watch,Shoe Shine/Repair, Motor Bike,Bicycle Repair	Per Day	30
	Hawkers	Tuktuk	50
1-7043	Empty Vehicles Entering the Market	Handcart	20
		Pick-Ups	100
		Canters 3-6 tonnes	200
		7-10 tonnes	300
		Over 10 tonnes	1,000
		Trailers	2,000

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
	MARKET ENTRY FEE		
	Impounded Goods(Retail)	per day	100
1-7044	Fruits	per day	200
1-7045	Second hand clothes	per day	200
1-7046	Cooking utensils	per day	200
1-7047	Trolleys	per day	100
1-7048	Wheelbarrows	per day	200
1-7049	Handcarts	per day	200
1-7050	Metal structure		2,000
1-7051	Penalty on vehicles offloading outside the County designated market		500
1-7052	Penalty for selling outside designated areas during open market days		
	MONTHLY RENT PER STALL		
1-7104	Bungoma and Kanduyi Market stalls	per month	3,000
	General Stalls	per month	3,500
	Hotels	per month	3,500
	Butcheries		
1-7105	Webuye Market Stalls	per month	1,500
	General Stalls	Per Month	2,000
	Hotels	per month	2,000
	Butcheries		

The Bungoma County Public Markets Act, 2017

COUNTY MARKET FEES			
TRADE, ENERGY & INDUSTRIALIZATION			
Item	Description of fee or Charge on Service	Unit of Measure	Charges
MARKET ENTRY FEE			
1-7106	Kimilili & Chwele Market Stalls	per month	1,000
	General Stalls	Per Month	2,000
	Hotels	per month	2,000
	Butcheries		
1-7107	Stalls in other areas	per month	1,000
	General Stalls	Per Month	1,500
	Hotels	per month	1,500
	Butcheries	Per stall	1,500
1-7207	Penalty for late payment after 5th	Per Stall	10%
1-7208	Penalty for late payment thereafter	per month	200

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to provide a legislative framework on public markets within Bungoma County. It is informed by the need for effective and efficient regulation of trade and other business in the public markets. This relates to the way activities in the market will be carried out, including but not limited to, hours of business, unauthorized activities, fires and cooking in markets, hygiene, sale of livestock and entry into market, among others. It provides for the appointment of market masters, who will be persons charged with the responsibility of supervision in the various public markets.

The Bill further provides for the payment of fees and charges for various goods or services, and specifies in the Schedule the specific amount of money payable for the goods and services. It also provides for offences and penalties payable.

The enactment of this Bill shall occasion additional expenditure of public funds to be provided for through the estimates.

SignedDated, 2017

Hon. James B. Mukhongo

Chairperson, Finance and Economic Planning Committee