

LEGAL NOTICE NO. 152

## THE TRAFFIC ACT

(Cap. 403)

IN EXERCISE of the powers conferred by section 72J of the Traffic Act, the Town Council of Kisii hereby makes the following By-laws:—

TOWN COUNCIL OF KISII (OMNIBUS STATION)  
BY-LAWS, 1976

- Citation. 1. These By-laws may be cited as the Town Council of Kisii (Omnibus Station) By-laws, 1976.
- Interpretation. 2. In these By-laws, unless the context otherwise requires—  
 “council” means the Town Council of Kisii;  
 “motor omnibus” means a public service vehicle having seating accommodation for more than seven passengers exclusive of the driver, and includes any motor-car having seating accommodation for not more than ten passengers exclusive of the driver, whether or not such vehicle is licensed to be a public service vehicle;  
 “omnibus station” means the area of land provided by the council under by-law 3;  
 “owner” means the person in whose name a motor omnibus is registered under Part II of the Act, and in relation to a motor omnibus which is the subject of a hire-purchase agreement or hiring agreement includes the person in possession of the vehicle under that agreement.
- Provision of omnibus stations. 3. (1) The council shall provide an omnibus station within the area of its jurisdiction for affording facilities for the arrival and departure of omnibuses.  
 (2) The council shall have regard to both the interests of traffic and the interests of the owners and occupiers of adjoining property when providing an omnibus station.
- Stopping. 4. (1) Where no stopping places have been appointed pursuant to section 102 (4) of the Act within the area of jurisdiction of the council, no driver of a motor omnibus shall set down or pick up passengers at any place other than the omnibus station.  
 (2) Any driver who contravenes this by-law shall be guilty of an offence.
- Number and situation of parking spaces. Limits of parking spaces. 5. The number and situation of parking spaces in an omnibus station shall be determined by the council.  
 6. The limits of each parking space shall be indicated on the ground by lines or studs, or in such other manner as the council may determine.

7. (1) No motor omnibus shall stand in, be driven into, or be driven out of, a parking space in such a manner that the motor omnibus encroaches upon any other parking space. Manner of parking.

(2) Any driver who contravenes or fails to comply with this by-law shall be guilty of an offence.

8. (1) No person shall sell any goods within an omnibus station: Prohibition of trading.

Provided that this paragraph shall not prohibit the sale of any ticket, or other authority, to travel on a motor omnibus.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

9. (1) An owner shall pay to the council such fee or charge for the use of an omnibus station as shall be determined by the council by resolution pursuant to regulation 148 of the Local Government Regulations, 1963. Fees and charges.  
L.N. 256/1963.

(2) No person shall drive a motor omnibus into an omnibus station unless the fee or charge for the use of the omnibus station has been paid pursuant to paragraph (1).

(3) Any person who contravenes or fails to comply with this by-law shall be guilty of an offence.

10. Any person who is guilty of an offence under these By-laws shall be liable— Penalties.

(a) in the case of a first conviction for such offence, to a fine not exceeding five hundred shillings or imprisonment for a term not exceeding two months, or to both such fine and imprisonment;

(b) in the case of a second or subsequent conviction for such offence, to a fine not exceeding one thousand shillings or imprisonment for a term not exceeding one thousand shillings or imprisonment for a term not exceeding four months, or to both such fine and imprisonment.

Made this 21st day of June, 1976.

By Order of the Town Council of Kisii.

P. N. ANASSI,  
*Town Clerk.*

Approved this 8th day of July, 1976.

R. S. MATANO,  
*Minister for Local Government.*