

(Legislative Supplement No. 36)

LEGAL NOTICE NO. 168

## THE TRAFFIC ACT

(Cap. 403)

IN EXERCISE of the powers conferred by section 72A of the Traffic Act, the City Council of Nairobi hereby makes the following By-laws:—

**THE TRAFFIC (DESIGNATED PARKING PLACES) (NAIROBI)  
BY-LAWS, 1978**

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|---|---|
| 1. These By-laws may be cited as the Traffic (Designated Parking Places) (Nairobi) By-laws, 1978.   | Citation.                               |
| 2. In these By-laws, except where the context otherwise requires—<br>“council” means the City Council of Nairobi;<br>“parking space” means a space in a parking place which is provided for the parking of a single vehicle;<br>“on-street parking” means parking spaces provided on a street as bounded by the established road reserve;<br>“parking” means putting or leaving a motor vehicle in a parking space for a period exceeding five minutes. | Interpretation.                         |
| 3. All the on-street parking facilities within the areas described in Schedule I to these By-laws are designated parking places for vehicles.   | Designation of parking places.          |
| 4. The number and situation of parking spaces in a parking place shall be such as may be determined by the council.   | Number and situation of parking places. |
| 5. The limits of each parking place and each parking space in it shall be marked on the road by lines, studs or other indication in such manner as the council may determine.   | Marking of parking spaces.              |
| 6. Where any person takes away a vehicle from a parking space in a parking place after the initial charge has been incurred such person shall not park that vehicle again in the same parking space before the expiry of one hour.  | Parking and reparking.                  |
| 7. No person shall insert in a parking meter relating to the parking space in which a vehicle is left any coins additional to those inserted by way of payment of the standard amount in respect of that vehicle.   | No additional coins to be inserted.     |
| 8. No person shall park in, or drive into or drive out of, a designated parking place a vehicle in such a manner that the vehicle stands in or passes over part of one parking space and part of another, or any line, stud or other indication marking the limits of a parking space.  | Manner of parking.                      |

Standard period, standard amount and initial charge.

9. (1) For a designated parking place in which the parking meters are made to receive one-shilling pieces and fifty-cent pieces—

- (a) the standard periods shall be thirty minutes, one hour, or two hours for the various parking zones as respectively specified in Schedule II to these By-laws;
- (b) the standard amount shall be one shilling; and
- (c) the initial charge for a vehicle for a time not exceeding one-half of the standard period shall be one-half of the standard amount.

(2) Where an initial charge of one-half of the standard amount has been paid, and before the end of the time in respect of which it is paid a further payment of one-half of the standard amount is made, the two payments shall be treated as a single payment of an initial charge of the standard amount on the parking of the vehicle.

Payment of excess charge.

10. The excess charge shall be the amount respectively specified in Schedule II to these By-laws, and shall be paid to the council at the City Treasurer's Office, City Hall, Nairobi, not later than the close of business hours of the seventh day after the day on which the excess charge was incurred.

Particulars in notice of excess charge.

11. The particulars to be contained in the notice to be attached under section 72c (1) of the Act to a vehicle in respect of which an excess charge has been incurred shall be—

- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
- (b) the number of the parking meter and that of the stand on which it is then mounted;
- (c) the time at which the inspector first noticed that the parking meter displayed the prescribed indication;
- (d) a statement that an excess charge of the amount specified in Schedule II to these By-laws is payable;
- (e) a statement as to where and by what date the excess charge is payable; and
- (f) a statement that it is an offence under the Act for the owner or the driver of the vehicle to fail to pay the excess charge which has been incurred in respect of that vehicle.

Free parking.

12. No charges shall be payable under Part VI A of the Act—

- (a) on Sundays and public holidays;
- (b) before 8 o'clock in the morning and after 5 o'clock in the evening on weekdays; and
- (c) before 8 o'clock in the morning and after 1 o'clock in the afternoon on Saturdays.

Removal of vehicle.

13. (1) Where—

- (a) a vehicle is left in a designated parking place, and any initial charge or excess charge which is thereby incurred is not duly paid; or

- (b) a vehicle is left in a designated parking place and any of the provisions of Part VI A of the Traffic Act or of these By-laws relating to the manner in which vehicles should stand in a parking place are thereby contravened; or
- (c) a vehicle is left in a designated parking place otherwise than is authorized by Part VI A of the Traffic Act or by these By-laws,

an inspector of police may remove such vehicle and keep the same in safe custody.

(2) Where a vehicle has been removed in pursuance of this by-law the owner of such vehicle shall pay, or cause to be paid to the council, a fee of sixty shillings in respect of each twenty-four hours or part thereof that the vehicle has been in safe custody, together with the sum of sixty shillings in respect of the expenses incurred by the council in removing and keeping such vehicle in safe custody before he can recover the vehicle.

(3) Where the owner of a vehicle which has been removed according to the provisions of this by-law does not pay the fees and expenses due within a period of sixty days from the day on which the vehicle was removed, the council may sell or otherwise dispose of such vehicle and the proceeds of such sale or disposal, if any, shall be set off against the outstanding fees and expenses, if any, incurred by the council in removing or disposing of the vehicle.

14. (1) The council may on application, and by way of a resolution, reserve spaces, other than in a parking place, for the exclusive use of a Minister, Assistant Minister, Permanent Secretary of a Ministry or a head of a diplomatic Mission.

Reserved parking space.

(2) A space reserved under this by-law shall be marked out conspicuously to identify it from other parking places.

(3) No person may park any vehicle in a space which has been reserved under this by-law without the express permission of the person for whom it has been reserved.

15. (1) Where a parking meter has been brought into use in a parking place, the council shall—

Maintenance and inspection of meters.

(a) cause the case of the meter to be kept in a reasonably clean condition, so that in particular any instructions appearing on it as to the method of operating the meter are easily eligible; and

(b) cause the meter to be removed from its case and tested at intervals of not more than four months.

(2) The council shall cause a meter which has been removed under this by-law to be cleaned and overhauled before it is again put into use, and any part thereof which is unduly worn to be renewed and then tested for the purpose of ascertaining that it is in proper working order.

Repair of  
meters.

16. Where a meter which has been brought into use is found to be out of order either on an inspection under by-law 15 of these By-laws or on any other occasion, the council shall cause such meter to be put into proper working order or to be replaced by another meter in proper working order and until it is put into proper working order or replaced, cause a hood to be placed over it displaying the words "Meter out of use".

Records to  
be kept.

17. The council shall cause a record to be kept, as regards each parking meter, of—

- (a) its identification number;
- (b) the date on which it was first brought into use;
- (c) the post on which it was currently mounted; and
- (d) the date on which, and the name of the person by whom, each inspection and repair was made under by-law 15 of these By-laws.

Revocation  
L.N. 78/1969.

18. The Traffic (Designated Parking Places) (Nairobi) By-laws, 1969, are hereby revoked.

#### SCHEDULE I

(by-law 3)

##### AREAS OF DESIGNATED PARKING PLACES

*Serial No.*

1. All that part of the *Central Area* as bounded by Uhuru Highway, Haile Selassie Avenue, Landhies Road, Race-course Road, Kirinyaga Road, Kijabe Road and the Projection of Kijabe Road to Uhuru Highway.
2. All that part of the *Government Road* as bounded by Haile Selassie Avenue, Station Road and the Nairobi Railway Station.
3. All that part of *Ngara Road* as bounded by Park Road and Murang'a Road.
4. All that part of the *Westlands Shopping Centre* as bounded by Chiromo Road, Waiyaki Way, Parklands Road and Mpaka Road.
5. All that part of the *Hurlingham Shopping Centre* as bounded by Argwings Kodhek Road, Woodlands Road, Jabavu Road and an unnamed lane on the west side of the existing shopping centre.
6. All that part of *Adams Arcade Shopping Centre* as bounded by Ngong Road and Suna Road.
7. All that part of the *Nairobi West Shopping Centre* as bounded by Gandhi Avenue, Bukani Road and Muhoho Avenue.
8. All that part of *Kiganjo Avenue* as bounded by Muhoho Avenue and Nairobi South C Shopping Centre.
9. All that part of *Muchumbi Road* as bounded by Kapiti Road and Mukenia Road in the *Nairobi South Shopping Centre*.

## SCHEDULE II (by-laws 9, 10 (a) and 11 (d))

## STANDARD PERIODS AND EXCESS CHARGES

<i>Zones</i>	<i>Standard Periods</i>	<i>Excess Charges</i>
Red Label Zone	30 Minutes	Sh. 60
Green Label Zone	60 Minutes	Sh. 40
Blue or Grey Label Zone	120 Minutes	Sh. 20

Made this 27th day of June, 1978.

By Order of the City Council of Nairobi.

S. J. GETONGA,  
*Town Clerk.*

Approved this 10th day of August, 1978.

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

LEGAL NOTICE NO. 169

## THE LAWS OF KENYA (REVISION) ACT

(*Cap. 1*)

IN EXERCISE of the powers conferred by sections 10 and 11 (2) of the Laws of Kenya (Revision) Act, the Attorney-General makes the following Order:—

## THE LAWS OF KENYA (REVISION) ORDER, 1978

1. This Order may be cited as the Laws of Kenya (Revision) Order, 1978.

2. The Eighth Annual Supplement to the Laws of Kenya prepared under section 11 (1) of the Act shall come into force on the 18th September, 1978.

## DIRECTIONS FOR USE OF NEW SUPPLEMENT

1. The Eighth Annual Supplement comprises the following new booklets—

- (a) 8 statutes incorporated in the laws for the first time, namely Nos. 9, 38, 253, 394, 411, 468, 493B and 531;
- (b) a revised edition of the Local Government Regulations, 1963, republished as Chapter 265 of the Laws of Kenya under section 11 (1A) of the Act;
- (c) 11 revised Chapters, namely Nos. 1, 8, 16, 21, 57, 130, 258, 340, 403, 486 and 525;
- (d) a revised Table of Contents (including a separate table of omitted Acts);
- (e) a revised Index including a complete noter up of the laws as at 1st January, 1978.