

LEGAL NOTICE No. 67

THE TRAFFIC ACT

(Cap. 403)

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

THE COUNTY COUNCIL OF KISUMU (DESIGNATED
PARKING PLACES) BY-LAWS, 1978

- Citation.** 1. These By-laws may be cited as the County Council of Kisumu (Designated Parking Places) By-laws, 1978.
- Interpretation.** 2. In these By-laws, unless the context otherwise requires—
 “council” means the County Council of Kisumu;
 “motor vehicle” means any mechanically propelled vehicle excluding vehicles running on a specially prepared way such as railway or tramway or any vehicle deriving its power from overhead electric power cables;
 “parking place” means a parking place designated under by-law 3 of these By-laws.
- Designated parking places.** 3. The areas on the roads and places described in the First Schedule to these By-laws shall be the designated parking places for motor vehicles plying for hire or reward within the area of jurisdiction of the council.
- Number and situation of parking spaces.**
Limits of parking places and parking spaces. 4. The number and situation of a parking space in a parking place shall be determined by council.
 5. The limits of each parking place and the limits of each parking space within such parking place shall be marked by continuous or broken lines, studs, or other indications in such manner as the council may determine.
- Manner of parking.** 6. (1) Every motor vehicle driven into or out of a parking place shall be so parked or driven so as not to stand in or pass over part of one parking space and part of another, or any lines, stud, or other indication, marking the limits of a parking space.
 (2) Every motor vehicle driven into a parking place shall not be parked or left standing in any place other than in a parking space irrespective of whether or not the driver of such motor vehicle remains inside.
- Charges.** 7. No person shall drive or park any motor vehicle into or within a parking place without first paying to the council the charges prescribed in the Second Schedule to these By-laws.
- Production of receipts, etc.** 8. Every driver or person in charge of a motor vehicle driven into or parked within a parking place shall produce, on demand by a police officer or any authorized officer of the council, the receipt or other document issued by the council showing that the prescribed charges have been paid.

9. (1) Where any motor vehicle is left in a parking place and any of the provisions of Part VI A of the Act or of these By-laws relating to the manner in which motor vehicles shall be parked in a parking place are contravened, a police officer or a duly authorized officer of the council may remove such motor vehicle and keep the same in safe custody.

Removal of motor vehicles from parking places.

(2) The owner of a motor vehicle removed in pursuance of this by-law shall not be entitled to recover such motor vehicle until he has paid to the council a fee of sixty shillings in respect of each twenty-four hours or part thereof that the vehicle remains in safe custody together with any expenses incurred by the council in moving and keeping the motor vehicle in safe custody.

10. Every driver and every owner of a motor vehicle who contravenes or fails to comply with any of the provisions of these By-laws shall be guilty of an offence and on conviction shall be liable to a fine not exceeding two hundred shillings, or in the case of a second or subsequent offence to a fine not exceeding five hundred shillings.

Offences and penalties.

FIRST SCHEDULE (by-law 3)

AREAS DESIGNATED AS PARKING PLACES

1. All that part along the road east of Muhoroni Town.
2. All that part of the Omnibus Station at the centre of Ahero market.
3. All that part of the Omnibus Station on the northern part of Atela market.
4. All the parking places along the roads passing by or through the council's markets.
5. All that part of the Omnibus Station on the western part of Maseno.

SECOND SCHEDULE (by-law 7)

PRESCRIBED CHARGES

| <i>Type of motor vehicle</i> | <i>Charge</i> |
|-----------------------------------|-------------------|
| | <i>Sh. cts.</i> |
| Taxi cabs | 220 00 per annum. |
| Omnibuses | 240 00 per annum. |
| Buses and commercial vehicles ... | 420 00 per annum. |

Made this 21st day of February, 1978.

By Order of the County Council of Kisumu.

P. F. A. MEMBO,
Clerk to the Council.

Approved this 3rd day of April, 1978.

R. S. MATANO,
Minister for Local Government.