

STATUTORY INSTRUMENT

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THE LOCAL GOVERNMENT ACT, 2022
(ACT No. 26 OF 2022)

THE FREETOWN CITY COUNCIL SOLID AND LIQUID WASTE COLLECTION BYELAWS, 2024 Short title

In exercise of the powers conferred upon him by section 98 of the Local Government Act, 2022, the Freetown City Council hereby makes the following Byelaws

PART I - PRELIMINARY

1. In these Regulations unless the context otherwise requires-

"approved waste collection service provider" means a solid or liquid waste service provider that has complied with clause 3 or 4 as applicable;

"Block" means a group of 8 wards, further defined as follows -

Block 1 consists of wards 399, 400, 401, 402, 403, and 404;

Block 2 consists of wards 405, 406, 407, 408, 408 410;

Block 3 consists of wards 411, 412, 413, 414, 415 and 416;

Block 4 consists of wards 417, 418, 419, 420, 421 and 422;

Block 5 consists of wards 423, 424, 425, 426, 427 and 428;

Block 6 consists of wards 429, 430, 431, 432, 433 and 434;

Block 7 consists of wards 435, 436, 437, 438, 439 and 440;

Block 8 consists of wards 441, 442, 443, 444, 445 and 446.

"business" means a person, company, co-operative or similar organisation carrying on a trade or business from a premises within the city of Freetown, whether as owner or occupier.

"Certificate of Registration" means a Certificate of Registration issued under Regulation 5;

"cesspool" includes a settlement tank, septic tank or other tank for the reception or disposal of foul matter from a building or latrine;

"Council" means the Freetown City Council referred to in subsection (3) of section 4 of the Local Government Act, 2022 (Act No. 26 of 2022);

"Councillor" means a member of a local council;

"Freetown City" means the Freetown City specified in paragraph B of Part 1 of the First Schedule of the Local Government Act, 2022 (Act No. 26 of 2022);

"garbage" means unwanted or unusable material;

"hazardous waste" means solid waste or combination of solid wastes, which, because of its quantity, concentration or physical, chemical or infectious characteristics may cause or significantly contribute

to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or pose a substantial present or potential hazard to human health and the environment when improperly treated, stored, transported, disposed of, or otherwise managed, including medical or pharmaceutical waste;

"household" means a person or person's resident in a domestic premises within Freetown City, whether as owner or occupier;

"institution" means an entity which is not a household or business, including an educational establishment, hospital or medical facility, prison, army or police facility, state or local government facility, charitable or not-for-profit organisation and diplomatic mission;

"liquid waste" means a faecal waste or sewage from a cesspool or pit latrine;

"Liquid Waste Register" means the Liquid Waste Register referred to sub-regulation (1) of Regulation 10;

"liquid waste collection service provider" means a liquid waste collection service provider registered with the Council under Regulation 3;

"manual emptier" means a person or a company carrying out liquid waste collection from a cesspool or pit latrine within Freetown City using manual tools such as a gulper, shovel, rake or bucket;

"mechanical emptier" means a person or company carrying out liquid waste collection from a cesspool or pit latrine within Freetown City using mechanical means, including an ejector or vacuum truck;

"Mop tax data" means the data the council has of all building in the city that have been assessed, have not yet been assessed or are deemed not assessable for property rates;

"occupier" means, in the case of -

- (a) a building, or part of a building, the person in occupation or having charge, management or control thereof, either on his own account or as agent of another person;
- (b) a vessel, the master or other person in charge, or having the control or custody thereof;

"omolankay" means a locally made wheelbarrow or pushcart;

"owner" includes the person for the time being receiving the rent of a premises, whether on his own account or as agent, trustee or receiver, or who would receive the same if such land or house were let to a tenant and includes the state or local authority;

"premises" includes messuage, building, land, easement and hereditament of a tenure, whether open or enclosed, whether built or not, whether public or private and whether maintained or not under statutory authority;

"producer" means a household, business or institution that produces solid or liquid waste;

"septic and latrine emptying call centre" means a septic and latrine emptying call centre of the Council or an alternative suitable system established by the Council and publicised to producers;

"solid waste" means garbage or refuse or other discarded material other than liquid waste or hazardous waste;

"solid waste collection service provider" means a solid waste collection service provider registered under Regulation 2;

"SMS" means the SMS or text messaging system established by the Council and publicised to producers;

"waste collection service provider" means a solid or liquid waste collection provider;

"ward" means an area within a locality which is delineated and designated by the Electoral Commission for Sierra Leone for the purpose of electing a Councillor to a local council;

"waste collection service provider" means a legally registered entity or business certified by Council to provide solid or liquid waste collection services to residents within Freetown City;

"zone" means sub-division of a block, including a group of communities.

Solid waste
collection
service
provider.

PART II—WASTE COLLECTION SERVICE PROVIDERS

2. A solid waste collection service provider shall -
 - (a) be registered as a business with the Corporate Affairs Commission;
 - (b) certified by Council to conduct solid waste collection and disposal services in a waste management block and waste collection zone;
 - (c) provide the registration information required by the Council, register and be listed on the Solid Waste Register;
 - (d) pay an annual solid waste registration fee to the Council for waste collection and disposal in a waste management block and waste collection zone;
 - (e) obtain a valid vehicle licence for solid waste collection and disposal fleet including, trucks, tricycles, and omolankays, issued by the Waste Management Registration Unit of the Council;
 - (f) comply with the solid waste collection and disposal rules and good practice standards issued by the Council from time to time;
 - (g) transport and dispose of collected solid waste at a disposal site, transfer station, dumpsite or land fill approved by the Council;
 - (h) pay a monthly tipping fee at a disposal site for solid waste disposal approved by the Council;

- (i) ensure efficient and timely solid waste collection and disposal.

3. A liquid waste collection service provider shall -

Liquid waste
collection
service
provider.

- (a) be registered as a business with the Corporate Affairs Commission;
- (b) certified by Council to conduct liquid waste collection and disposal services in a waste management block and waste collection zone;
- (c) provide the registration information required by the Council, register and be listed on the liquid Waste Register;
- (d) pay an annual liquid waste registration fee to the Council for waste collection and disposal in a waste management block and waste collection zone;
- (e) obtain a valid vehicle licence for liquid waste collection and disposal fleet including, evict or vacuum trucks, issued by the Waste Management Registration Unit of the Council;
- (f) comply with the liquid waste collection and disposal rules and good practice standards issued by the Council from time to time;
- (g) transport and dispose of collected liquid waste at a disposal site, transfer station, dumpsite or land fill approved by the Council;
- (h) pay a monthly tipping fee at a disposal site for liquid waste disposal approved by the Council;

- (i) ensure efficient and timely liquid waste collection and disposal.

Certificate of
Registration.

4. (1) A waste collection service provider who complies with Regulation 2 or 3 shall be issued with a Waste Collection Service Provider Certificate of Registration.

(2) A Waste Collection Service Provider Certificate of Registration issued under sub-regulation (1) shall be valid for 12 months and may be renewed.

Penalty for
non-
compliance.

5. (1) A waste collection service provider who fails to comply with a provision in Regulation 2 or 3, after having been notified by the Council of such failure commits an offence and is liable, on conviction, to a fine not exceeding NLe.5,000 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment.

(2) The Council may, where a waste collection service provider fails to comply with a provision in Regulation 2 or 3 -

- (a) terminate the service of the waste collection service provider and withdraw his Certificate of Registration issued by the Council;
- (b) prohibit a waste collection service provider from offering or carrying out solid or liquid waste collection services in Freetown City until such time as the waste collection service provider has complied with Regulation 2 or 3 as the case may be.

PART III - PRODUCERS TO ARRANGE FOR THE COLLECTION
OF SOLID WASTE

6. (1) A producer shall register with the Freetown City Council and pay for collection of his solid waste.

Producer to register pay for collection of solid waste.

(2) Payment for waste collection under sub-regulation (1) shall be made on a monthly or quarterly basis, using the Council's digital waste management system platform, in person or in such form as may be prescribed by the Council.

7. (1) A producer shall not-

Prohibited waste disposal.

(a) dispose of waste on the street, gutter, backyard or any other public area;

(b) litter the environment with waste.

(2) A producer who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine not exceeding NLE 5,000 or to imprisonment for not exceeding six months or to both fine and imprisonment.

8. (1) An owner or occupier shall -

Owner or occupier to keep premises clean.

(a) maintain and keep clean his frontage, premises and private drainage systems.

(b) ensure safe access by an registered waste collection service provider for waste collection.

(2) An owner or occupier who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine not exceeding NLE 5,000 or to imprisonment for not exceeding six months or to both fine and imprisonment.

PART IV - STORAGE AND COLLECTION OF LIQUID WASTE

Storage and collection of liquid waste.

9. A producer shall -:

- (a) ensure that a cesspool or pit latrine used by him is emptied regularly to ensure that no leak, overflow or other nuisance is caused by that cesspool or pit latrine;
- (b) use a registered liquid waste collection service provider for the emptying of a cesspool or pit latrine used by that producer.

Register of liquid waste service

10. (1) The Council shall establish and maintain a Liquid Waste Register in which shall be recorded, approved waste collection service providers, with contact numbers and other contact details.

(2) A Liquid Waste Register established by Council under sub-regulation (1), shall be available from Councillors, on the Council's website, via the Council's septic and latrine emptying call centre or via SMS.

(3) A producer who contravenes sub-regulation (1), commits an offence and is liable on conviction to a fine not exceeding NLe. 5,000 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment.

PART V - SAFE COLLECTION, DISPOSAL AND REGULATION OF WASTE.

Waste management blocks and waste collection zones.

11. There is hereby established 8 waste management blocks and waste collection zones in Freetown City, demarcated into overlaying existing block data with mop tax property rate data.

Management of collection and disposal of solid waste.

12. The management of the collection and disposal of solid waste across the waste management blocks and 16 waste collection zones in Freetown City shall be through public private partnership.

13. (1) The fee for solid waste collection in Freetown City based on domestic and commercial categories.

Categories of solid waste collection fees.

(2) The council shall distribute standardized bins for the collection of solid waste to producers based on the solid waste collection categories specified in sub-regulation (1).

14. The scheduled days for solid waste collection in Freetown City shall be a minimum 2 times a week and maximum 3 times a week or collection such other times as Council may determine.

Solid waste collection Scheduled days.

15. The Council shall develop a communication strategy that will enhance compliance from residents of the City including information and education on -

Public education.

- (a) the enforcement of waste collection and sanitation byelaws;
- (b) management of payment made by producers in respect of solid waste services;
- (c) the significance of regular cleaning and maintenance of public spaces and drainages;
- (d) matters of environmental concern.

PART V—PROHIBITED USE OF PUBLIC SPACE

16. (1) A person shall not use a street or public place to -

- (a) store building materials;
- (b) sell or stock bush sticks;
- (c) cook or sell food;
- (d) trade;

Prohibited use of public space.

- (e) repair motor vehicles or as a garage for the parking of abandoned vehicles;
- (f) weld or as a welding shop;
- (g) wash cars or clothes.

(2) Notwithstanding paragraph (a) of sub-regulation (1), the Council may, authorise a person to store building materials in a street or public place, on such terms and condition as Council may determine.

(3) A person who contravenes sub-regulation (1) commits an offence and is liable on conviction to a fine not exceeding NLe. 5,000 or to imprisonment to a term not exceeding 6 months or both such fine and imprisonment.

MADE *this 5th day of August, 2024*

THE FREETOWN CITY COUNCIL

YVONNE AKI-SAWYERR, OBE
Her Worship, the Mayor of Freetown.

FREETOWN,
SIERRA LEONE.