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THE KAMPALA CAPITAL CITY AUTHORITY (SEWAGE AND FAECAL
SLUDGE MANAGEMENT) ORDINANCE, 2019

*(Made under section 8 of the Kampala Capital City Authority Act, 2010, Act 1 of
2011).*

An Ordinance to provide for the containment, collection, transportation and disposal of sewage and faecal sludge in Kampala Capital City; to provide for the regulation of providers of containment, collection, transportation and disposal of faecal sludge services; and for related matters.

BE IT ORDAINED by the Authority of Kampala Capital City as follows:

PART I - PRELIMINARY

1. Title

This Ordinance shall be cited as the Kampala Capital City Authority (Sewage and Faecal Sludge Management) Ordinance, 2019

2. Interpretation.

In this Ordinance, unless the context otherwise requires-

“Authority” means the Kampala Capital City Authority established by section 5 of the Kampala Capital City Act, 2010;

“bio-toilets” means a water borne toilet that promotes resource recovery and reuse where the toilet block is connected to anaerobic digesters which produce biogas;

“Capital City” means Kampala Capital City;

“cesspool” means an underground container for the temporary storage of liquid waste and sewerage;

“currency point” has the meaning assigned to it in Schedule 1;

“desludging” means the process of cleaning or removing accumulated sludge;

“environmental sanitation services” in relation to sewage and faecal sludge, includes the collection, transportation, disposal and treatment of sewage and faecal sludge;

“faecal sludge” means undigested or partially digested slurry or solids resulting from storage or treatment in septic tanks and pit latrines of flush water and human excreta;

“Gulper” means a manually operated faecal sludge hand pump which works by gulping or sucking of sludge into which it is submerged;

“latrine” means a receptacle used as a toilet and includes a privy, urinal, earth closet or water closet;

“licensee” means a person granted a licence to provide environmental sanitation services under this Ordinance;

“lined ventilated improved latrines” means a dry toilet comprising a pit for containment of faecal sludge and a vent pipe that serves to prevent flies and odor from the pit;

“mechanized emptying” means emptying of toilets and septic tanks using engine operated waste exhaustion systems powered by electricity, fuel or pneumatic systems;

“semi-mechanized emptying” means emptying of toilets and septic tanks using waste exhaustion systems powered by human force;

“mobile toilet” means a portable toilet unit with a cesspool / waste tank for human excreta and is not connected to a sewer;

“National Environmental Management Authority” means the National Environment Management Authority established under section 4 of the National Environment Act, Cap. 153;

“National Water and Sewerage Corporation” means the National Water and Sewerage Corporation established by the National Water and Sewerage Corporation Act;

“nuisance” means any street, road, stream, pool, ditch, gutter, watercourse, sink, water tank, cistern, water closet, earth closet, privy, urinal, cesspool, soakaway pit, septic tank, cesspit, soil pipe, wastepipe, drain, sewer, garbage receptacle, dust bin, dung pit, refuse pit, slop tank, ash pit or manure heap, so foul or in such a state or so situated or constructed as to be offensive or to be likely to be injurious or dangerous to health;

“occupier” means the owner of a premise, or, where the exclusive use of such premises has been granted to another entity or individual, the entity or individual enjoying the right of exclusive use so assigned;

“on-site sanitation” means the management of human excreta where it is deposited and includes latrines, cesspools and septic tanks;

“premises” includes dwelling places, hospitality industry establishments, health and veterinary care facilities, markets and lorry terminals, industries of any type or capacity, schools, offices, places of worship or entertainment, sanitary infrastructure including, slaughter houses, abattoirs, public toilets, liquid waste and solid waste treatment plants or any area whether open or enclosed where people live or work;

“septic tank” means a tank, typically underground, in which sewage is collected;

“sewer” means an artificial pipe or conduit for carrying sewage and wastewater.

“sewer connection” means a connection provided by the sewerage authority or at the authority’s directions for the conveyance of sewage or trade waste between a building sewer and a sewer at or near the boundary of that land;

“sludge” means the thick, viscous layer of materials including organic solids, sand and grit, that settles to the bottom of septic tanks, ponds and other sewage systems;

“solid waste” means garbage, refuse, trash and other materials or products including putrescible and non-putrescible wastes, organic and inorganic waste, combustible and noncombustible waste, and liquid nonhazardous waste, but does not include hazardous waste or human body parts;

“toilet” means a fixed receptacle into which a person may urinate or defecate and is connected to a system for flushing away the waste;

“transfer station” means a facility or tank where faecal sludge is temporarily disposed before onward transfer for further treatment, processing or disposal;

“urine diversion dehydrating toilets” means an ecological sanitation toilet option which involves separation of urine from faeces and operates on principle of waste sanitization for re-use.

“waterborne toilets” means toilets that use water to transport human excreta through a drainpipe either to a sewer for offsite treatment or to a septic tank or a bio-treatment unit for onsite treatment;

PART II - SEWAGE CONVENYANCE AND CONTAINMENT OF FAECAL SLUDGE

3. Premises to be connected to sewer

- (1) All premises producing sewage shall connect to the sewer network in all areas where sewer lines exist within thirty meters of the premises.
- (2) The Authority shall keep deposited at its offices, for inspection by any person at all reasonable hours, free of charge, a map showing and distinguishing all public sewers existing or in the course of construction within the City.
- (3) A person who contravenes subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

4. National Water and Sewerage Corporation to maintain sewer network

The National Water and Sewerage and Corporation shall ensure the sewer network is well maintained as not to cause public nuisance

5. Offences in relation to use of sewers and toilets

- (1) A person shall not throw, empty in, or suffer or permit to be thrown in or emptied in or to pass into, any sewer and latrine, any solid waste or other matter likely interfere with the free flow of contents in sewers, or to affect prejudicially the treatment and disposal of contents of sewers, latrines and septic tanks.
- (2) A person shall not discharge the contents of a toilet, latrine, septic tank or sewer into a storm water drain, water body, road surface or other body in which they are likely to cause or suffer to be caused a nuisance.
- (3) Any person who contravenes subsections (1) and (2) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

6. Minimum standards for onsite sanitation technologies

- (1) All premises shall have onsite sanitation technologies (including waterborne toilets, lined ventilated improved latrines, bio-toilets and

urine diversion dehydrating toilets), which shall conform to the minimum standards for onsite sanitation technology options, as approved by the Authority from time to time.

- (2) Notwithstanding the general effect of subsection (1), the minimum standards for onsite sanitation technology options shall require that every onsite sanitation technology –
 - (a) is capable of being emptied and has access for a pit emptier;
 - (b) has a hand washing facility with detergent;
 - (c) has anal cleansing materials;
 - (d) provides for privacy of users including having a lockable door;
 - (e) allows for inclusiveness including provisions for persons with with disabilities;
 - (f) provides for menstrual hygiene management;
 - (g) has a durable and sturdy superstructure;
 - (h) is secure;
 - (i) is well ventilated and has adequate lighting especially for night use;
 - (j) is kept clean and hygienic.
 - (k) Conforms to the building control regulations
- (3) A licensee providing Mobile toilet services shall ensure toilets meet the minimum standards in sub-section (2) and other standards that the Authority may specify
- (4) A person who contravenes subsection (1) and (3) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

PART III – EMPTYING OF SEPTIC TANKS AND PIT LATRINES

7. Emptying of faecal sludge from latrines and septic tanks

- (1) The owner or occupier of a building in the City shall ensure that-
 - (a) the septic tank for the toilet system of the building is desludged or emptied at least every five years or when the sludge or solids fill one third of the tank volume, whichever occurs first;
 - (b) the pit latrine of the building is emptied when full.
- (2) For the purposes of this Ordinance, a pit latrine is considered to be full when it is filled up to one meter from the top.

(3) A person who contravenes subsection (1) commits an offence and shall on conviction liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

8. Faecal sludge emptying methods

(1) Faecal sludge from septic tanks or latrines shall be emptied using mechanised or semi-mechanised emptying methods.

(2) A person who contravenes subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

PART IV - FAECAL SLUDGE TRANSPORTATION

9. Faecal sludge not to be spilled

(1) A licensee shall load and transport faecal sludge in such a manner that the faecal sludge is not exposed and does not leak or spill.

(2) Where any faecal sludge leaks or spills during loading or transportation, the licensee shall immediately remove spillage in a sanitary manner.

(3) A person who contravenes subsection (2) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

10. Personnel involved in handling and transportation to be well equipped

(1) A licensee shall ensure that any persons involved in faecal sludge handling and transportation-

(a) have adequate protective and safety clothing;

(b) have appropriate equipment or facilities for loading the faecal sludge including gloves, nose masks, gumboots, properly labelled overalls;

(c) have safe and secure sitting facilities in the vehicles used for transportation of the faecal sludge;

(d) have been vaccinated against common diseases associated with transportation of faecal sludge and at the minimum, for tetanus; and

(e) are trained and show proof of training in occupational health and safety related to faecal sludge handling.

(2) Personal protective gear shall be in the form specified in Schedule 5.

(3) A licensee who contravenes subsection (1) commits an offence and shall on

conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

11. Minimum standards for faecal sludge transportation vehicles

- (1) A vehicle used for the collection and transportation of faecal sludge shall
 - (a) have a secure metal body or similar construction;
 - (b) be maintained in good mechanical condition and repair;
 - (c) display the company name in a conspicuous place on the vehicle;
 - (d) be labelled with the sign "CESSPOOL EMPTIER" or "GULPER", whichever is applicable;
 - (e) kept clean at all times;
 - (f) state any other information the Authority may require.
- (2) All equipment or plant used for the loading or transportation of faecal sludge shall be kept clean at all times. cleaning shall only be carried out at designated washing points within disposal sites.
- (3) A person who contravenes subsection (1) or (2) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

12. Faecal sludge transport vehicles to be inspected

The Authority shall from time to time inspect all equipment and plant used for the collection and transportation of faecal sludge to ensure that the equipment and plant conform to the requirements of this Ordinance.

PART V - DISPOSAL OF FAECAL SLUDGE

13. Faecal sludge disposal

- (1) Faecal sludge shall be disposed of in a faecal sludge treatment or disposal site licensed by the National Environment Management Authority.
- (2) For the purposes of subsection (1), faecal sludge treatment or disposal sites include-
 - (a) designated or certified transfer stations;
 - (b) designated or certified co-composting solid waste treatment facility;
 - (c) designated or certified faecal sludge treatment facilities;
 - (d) designated or certified incineration sites.
- (3) All faecal sludge treatment or disposal sites shall make provision for on-site washing of emptiers and other equipment for the disposal of waste.

- (4) A person who disposes faecal sludge in contravention of subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

**PART VI - LICENSING OF PROVIDERS OF ENVIRONMENTAL
SANITATION SERVICES**

Licensing of providers of environmental sanitation services

14. Providers of environmental sanitation services to be licensed

- (1) Subject to subsection (2), a person shall not provide environmental sanitation services without a valid licence granted for that purpose under this Ordinance.
- (2) Environmental sanitation services for which a licence is required include:
- (a) desludging or emptying of toilets, latrines, septic tanks and other faecal sludge containment systems; by mechanised and semi mechanised systems
 - (b) transportation of faecal sludge;
 - (c) faecal sludge disposal including transfer stations;
 - (d) provision of mobile toilets;
 - (e) any environmental service the Authority may, in writing, specify.
- (3) A person shall not be granted a licence to provide environmental sanitation services unless the person is incorporated or registered as a company or is registered as a legal entity under the laws of Uganda for the purpose of providing environmental sanitation services.
- (4) A person who provides environmental sanitation services without a licence commits an offence and shall on conviction be liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

15. Application for licence

- (1) A person intending to provide environmental sanitation services specified in section 14 shall make an application to the Authority.
- (2) An application shall be in form 1 specified in Schedule 2.
- (3) An application for a licence shall be accompanied with the fee specified in Schedule 3.

- (4) Every application for a licence shall state-
- (a) that the applicant is incorporated or registered as a company or is registered as a legal entity under the laws of Uganda for the purpose of providing environmental sanitation services; and
 - (b) the environmental sanitation services the applicant seeks to provide.
- (5) The Authority may require such additional information as the Authority may reasonably require at the time of application or when considering the application.

Procedure for considering application

16. Procedure for considering the application.

- (1) Upon receipt of an application, the Authority shall review the application to ensure that all the relevant documents are available to enable the processing of the application.
- (2) In the processing of the application, the Authority may consult with the National Environmental Management Authority, National Water and Sewerage Corporation and such other bodies as may appear to the Authority to be appropriate.
- (3) Where, upon review of an application under subsection (1), the Authority finds that the application is incomplete, the Authority shall request the applicant to provide additional information or clarify the information provided.

17. Report in respect of application

- (1) The Authority shall, within thirty calendar days after receipt of an application or additional information, investigate and prepare a detailed report in respect of the application to enable the processing of the application.
- (2) The Authority shall in considering an application under this section have regard to the the nature of the environmental sanitation services to be provided.
- (3) Where the applicant proposes to use any plant or equipment to provide environmental sanitation services, the Authority shall, in assessing the application for the licence, inspect the plant and equipment.

Grant or refusal of licence

18. Grant of licence or refusal

- (1) After considering the application and the report under sections 16 and 17, the Authority may grant the applicant a licence or refuse to grant a licence.
- (2) The decision to grant a licence or not shall be made within five working days after the report is made, and shall immediately be given to the applicant.
- (3) Where the Authority grants a licence, the Authority shall issue a certificate of suitability for the equipment or plant to be used by the licensee and the certificate shall be valid for the duration of the licence.
- (4) Where the Authority refuses to grant a licence, the decision shall include the reasons for the refusal.
- (5) A person dissatisfied with the decision of the Authority may apply to the Minister for review of the decision.
- (6) A licence shall be in the form specified in Schedule 4.

Validity and renewal of licence

19. Validity of licence

A licence is valid for twelve months from the date of issue.

20. Renewal of licence

The Authority may renew a licence where the applicant meets the conditions of the grant of a licence specified in this Ordinance.

Supervision of licensees

21. Supervision of licensees

The Director of Public Health and Environment in the Authority shall supervise all the persons granted a licence under this Ordinance.

Suspension and revocation of licences

22. Suspension and revocation of licence

- (1) The Authority may suspend or revoke a licence where it is satisfied that the terms and conditions upon which the licence was granted have been contravened.
- (2) Before the Authority suspends or revokes the licence of a licensee, the Authority shall give the licensee the opportunity to remedy the breach for which the Authority seeks to revoke or suspend the licence.
- (3) Where the Authority suspends or revokes a licence, the Authority shall give reasons in writing for the suspension or revocation.
- (4) A person aggrieved by the decision of the Authority to suspend or revoke a licence may appeal to the Minister.

PART VII - GENERAL

23. Obstruction

A person who -

- (a) willfully obstructs an employee of the Authority in the discharge of his or her duties;
- (b) willfully fails to comply with any requirement properly made to him or her by an employee of the Authority in the discharge of his or her duties or an agent of the Authority; commits an offence and is on conviction liable to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

24. Licences required by other laws

Where the Authority is required to provide a recommendation to any person applying for a licence under any law relating to environmental sanitation and that person is licenced under this Ordinance, the licence issued to that person shall serve as the recommendation.

25. Register of licences.

- (1) The Authority shall establish and maintain a register of all licences granted under this Ordinance.
- (2) There shall be entered in the register in respect of each licence –
 - (a) the name of the business enterprise to which the licence was granted;
 - (b) the principal place of business of the licensee; and
 - (c) the activities to which the licence relates.
 - (d) The validity period/dates
- (3) The register shall be kept at the principal office of the Authority and shall be open for inspection during normal office hours subject to the payment of the fee specified in Schedule 3, for each inspection.

26. Licensee to keep records of transactions

- (1) A licensee shall keep a record of all the activities and transactions in respect of the licence.
- (2) The Authority or a person designated by the Authority may, after giving reasonable notice to the holder of the licence, inspect the records kept under subsection (1).

27. Persons providing environmental sanitation services before coming into force of Ordinance

A person who, before the coming in force of this Ordinance was carrying on any business as specified in section 14 (2) of this Ordinance, shall apply to the Authority for a licence within ninety days after the coming in force of this Ordinance.

SCHEDULE 1

CURRENCY POINT

A currency point is equivalent to twenty thousand Uganda Shillings

SCHEDULE 2

FORM 1

APPLICATION FOR LICENCE

I/Weapplicant(s) make the following application for grant of a licence to provide environmental sanitation services.

A. Particulars of Applicant(s)

- 1. Name of applicant (company name):.....
2. Date of Incorporation or registration:..... (attach copies of registration certificate)
3. Name of Authorised representative:.....
4. Address:.....
5. Principal place of business of the applicant:.....

B. Nature of Environmental Sanitation Services to be Provided

State the type of environmental sanitation services to be provided and method
.....
.....
.....
.....
.....

C. Service Areas - Please state in which areas the proposed Environmental Sanitation Services will be performed (specify divisions)

.....
.....
.....

D. Briefly Describe suitability to Provide Environmental Sanitation Services for which licence is sought

.....
.....
.....
.....
.....

(Attach proof, if any, including certificates, list of assignments and contracts successfully completed, etc)

E. In case of application to provide faecal sludge transportation services, applicant to provide-

- (a) Registration number(s) and type(s) including model, make, ownership(lease/ owned), capacity of vehicles to transport faecal sludge;
- (b) Proof of fitness of vehicle(s) (attach service records of vehicles);
- (c) Proof of ownership of vehicle(s) (attach log book or lease agreement);
- (d) Proof of third-party insurance of vehicle(s);
- (e) Proposed disposal sites(s)
- (f) Approval to dump at a designated site

Attach any supporting documents

Date

Signature of applicant.....

FOR OFFICIAL USE ONLY

Application received by on 20.....

Fee paid Ug. Shs (in words)

SCHEDULE 3

FEES

Item	Description of fee	Fee in Uganda Shillings (UGX)
1.	Application for licence	100,000
2.	Fee for inspection of the register of licences	5,000

SCHEDULE 4

FORM

LICENCE TO PROVIDE ENVIRONMENTAL SANITATION SERVICES

In accordance with the Kampala Capital City Authority (Sewage and Faecal Sludge Management) Ordinance, 2019, a licence to provide the following Environmental Sanitation Services (*list the services licenced*)

.....
.....

.....has been granted by the Authority to -----
----- (*insert the name of the Applicant(s)*) of -----(*insert the address*) on the _____ day of _____, 20 ____

This licence is valid from theday of 20..... to theday of 20.....

The licence shall be subject to the following conditions-----

Dated at _____ this _____ day of _____, 20 ____

Executive Director

SCHEDULE 5

SPECIFICATIONS FOR PERSONAL PROTECTIVE GEAR

1. Overalls

Blue overall, water repellent, chemical resistant, fully branded with attached hood and with reflector stripes [Color: Orange] on the arms, waist and legs;

2. Gumboots:

Rubber, water resistant, Colour: Orange

3. Hard Hat / Safety Helmet

- Color: Orange
- ABS/PP/HDPE material
- 4-point, double fabric tape suspension connection

4. Nose mask:

- Reusable nose mask (preferably with plastic cartridge filters)

5. Heavy Duty Rubber Gloves:

- Full hand covering up to elbow level, water proof with good mechanical and chemical resistance

Cross References

Kampala Capital City Act, 2010

Local Government Act, Cap. 243

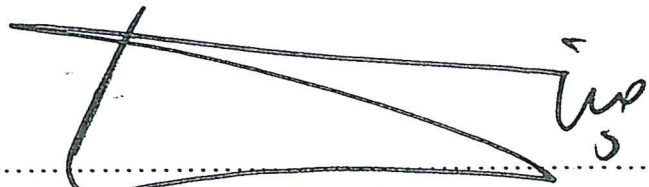
National Environment Act, 2018

National Water and Sewerage Corporation Act, Cap 317

Public Health Act, Cap. 281

Water Act, Cap. 152.

Public Health (Drainage and Sanitation) Rules, Statutory Instrument 281 – 4.

A large, stylized handwritten signature in black ink, appearing to be 'Lukwago Erias', written over a horizontal dotted line.

LUKWAGO ERIAS

Lord Mayor, Kampala Capital City

24/1/2020

